

ORDINANCE No.

117279

COUNCIL BILL No.

110287

AN ORDINANCE vacating portions of Bell Street, Elliott Avenue, Alaskan Way, Blanchard Street, Lenora Street, Virginia Street, and Pine Street on the Petition of the Port of Seattle, (C.F. Nos. 296649 and 297673, as amended); authorizing the Mayor to execute a Quit Claim Deed for the vacated rights-of-way, accepting easements for the pedestrian overpass at Bell Street and the skybridge at Lenora Street, accepting utility easements; and accepting a

Property Use and Development Agreement in connection therewith.

COMPTROLLER FILE NO.

Introduced:	AUG 08 1994	By:	CHOE
Referred:	AUG 08 1994	To:	TRANSPORTATION AND ECONOMIC DEVELOPMENT
Referred:		To:	
Referred:		To:	
Reported:	AUG 22 1994	Second Reading:	AUG 22 1994
Third Reading:		Signed:	AUG 22 1994
Presented to Mayor:	AUG 23 1994	Approved:	AUG 31 1994
Returned to City Clerk:	AUG 31 1994	Published:	
Vetoed by Mayor:		Veto Published:	
Passed over Veto:		Veto Sustained:	

The City of Seattle--Legislative

REPORT OF COMMITTEE

Honorable President:

Your Committee on

Transportation &

to which was referred the within Council Bill No. 110287
report that we have considered the same and respectfully recommend that

Pass as amendedFull Council Vote 7-0Martha Choe

Committee Chair

NO
DATE
FILED

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

Honorable President:

Your Committee on

Transportation & Eco. Dev.

to which was referred the within Council Bill No. 110237
report that we have considered the same and respectfully recommend that the same:

Pass as amended 2-0

Full Council Vote 7-0

Martina Choe

Committee Chair

ORDINANCE

117279

1 AN ORDINANCE vacating portions of Bell Street, Elliott Avenue,
2 Alaskan Way, Blanchard Street, Lenora Street, Virginia
3 Street and Pine Street on the petition of the Port of
4 Seattle (Clerk File Nos. 296649 and 297673, as amended);
5 authorizing the Mayor to execute a Quit Claim Deed for the
6 vacated rights-of-way; accepting easements for the
7 pedestrian overpass at Bell Street and the skybridge at
8 Lenora Street; accepting utility easements; and accepting a
9 Property Use and Development Agreement in connection
10 therewith.

11 WHEREAS, there has been filed with the City Council the
12 petition of the Port of Seattle (Clerk File Nos. 296649 and
13 297673, as amended), for the vacation of portions of Bell
14 Street, Elliott Avenue, Alaskan Way, Blanchard Street,
15 Lenora Street, Virginia Street, and Pine Street as herein
16 fully described; and

17 WHEREAS, the Port of Seattle has conveyed easements to US West
18 Communications, King County Department of Metropolitan
19 Services, and Washington Natural Gas to provide for utility
20 facilities; and

21 WHEREAS, following a public hearing on said petition, which
22 commenced on June 14, 1993, said petition was granted by the
23 City Council; and

24 WHEREAS, compensation for the vacation was established pursuant
25 to the December 27, 1989 Port-City Agreement. Said
26 compensation in the amount of \$2.8M has been paid to the
27 City; and Now, Therefore;

28 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

BELL STREET

That portion of Bell Street lying between Lot 1, Block
171B and Lot 6, Block 171A, Seattle Tide Lands, according
to the official maps thereof filed in the Office of the
Commissioner of Public Lands in Olympia, Washington;
Together with that portion of Bell Street lying between
Lot 2, Block 32, Addition to the Town of Seattle as laid
out by A.A. Denny (Commonly known as A.A. Denny's Sixth
Addition to the City of Seattle), according to the plat
thereof recorded in Volume 1 of Plats, Page 99, in King
County, Washington, and Lot 12, Block 30, Bell & Denny's
1st Addition, according to the plat thereof recorded in
Volume 1 of Plats, Page 61, in King County, Washington.

ELLIOTT AVENUE

That portion of Elliott Avenue, as originally platted,
lying southerly of a line produced southeasterly from the
most northerly corner of Lot 2, Block 32, Addition to the
Town of Seattle as laid out by A.A. Denny (Commonly known
as A.A. Denny's Sixth Addition to the City of Seattle),
according to the plat thereof recorded in Volume 1 of
Plats, Page 99, in King County, Washington, to the point
of intersection with the most northwesterly corner of
that portion of Block 33 of said addition which lies

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1 southwesterly of Elliott Avenue, as condemned by the City
2 of Seattle Ordinance Number 12502, and lying north-
3 westerly of the portion thereof vacated by the City of
4 Seattle under Ordinance Number 9123.

5 ALASKAN WAY

6 The eastern 31 feet, more or less, of Alaskan Way in the
7 City of Seattle, King County, Washington bounded on the
8 north by the north margin of Bell Street and on the south
9 by a line drawn perpendicularly to the east margin of
10 said Alaskan Way distant 25.46 feet south from the south
11 margin of Pine Street. Intersections of Bell Street,
12 Blanchard Street, Lenora Street, Virginia Street, and
13 Pine Street are inclusive.

14 BLANCHARD STREET

15 That portion of Blanchard Street lying between Lot 1,
16 Block 172A and Lot 6, Block 171B, Seattle Tide Lands,
17 according to the official maps thereof filed in the
18 Office of the Commissioner of Public lands in Olympia,
19 Washington;
20 Together with that portion of Blanchard Street lying
21 between Lot 2, Block 31 and Lot 11, Block 32, Addition to
22 the Town of Seattle as laid out by A.A. Denny (Commonly
23 known as A.A. Denny's Sixth Addition to the City of
24 Seattle), according to the plat thereof recorded in
25 Volume 1 of Plats, Page 99, in King County, Washington.

26 VIRGINIA STREET

27 That portion of Virginia Street lying between Lot 1,
28 Block 173A and Lot 6, Block 172B, Seattle Tide Lands,
according to the official maps thereof filed in the
Office of the Commissioner of Public Lands in Olympia,
Washington;
Together with that portion of Virginia Street lying
between Lot 2, Block 29 and Lot 11, Block 30, Addition to
the Town of Seattle as laid out by A.A. Denny (Commonly
known as A.A. Denny's Sixth Addition to the City of
Seattle), according to the plat thereof recorded in
Volume 1 of Plats, Page 99, in King County, Washington.

PINE STREET

That portion of Pine Street lying between Lot 1, Block
173B and Lot 6, Block 173A, Seattle Tide Lands, according
to the official maps thereof filed in the Office of the
Commissioner of Public Lands in Olympia, Washington;
Together with that portion of Pine Street lying between
Lot 1, Block 173B, Seattle Tide Lands, and Lot 11, Block
29, Addition to the Town of Seattle as laid out by A.A.
Denny (Commonly known as A.A. Denny's Sixth Addition to
the City of Seattle), according to the plat thereof
recorded in Volume 1 of Plats, Page 99, in King County,
Washington.

be and the same is hereby vacated; RESERVING to the City of
Seattle the right to make all necessary slopes for cuts or
fills upon the above-described property in the reasonable

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1 original grading of any rights-of-way abutting upon said
2 property after said vacation.

3 Section 2. That the Mayor of the City of Seattle is hereby
4 authorized to convey and quitclaim to the Port of Seattle the
5 above-described property.

6 Section 3. That the Bell Street Skybridge Pedestrian Access
7 Easement conveyed by the Port of Seattle on the 5th day of
8 August, 1994 (King County Recording No. 9408050460) to the City
9 of Seattle, King County Washington for perpetual non-exclusive
10 pedestrian ingress and egress on and across the Bell Street
11 Skybridge, subject to the terms of the easement, and providing
12 for Port maintenance of said facilities within the above-
13 described vacated property and upon the following described
14 property in Seattle, King County, Washington:

15 PARCEL BETWEEN BELL AND BLANCHARD STREETS

16 Lots through 6, inclusive, Block 171B, all in
17 Seattle Tide Lands, according to the official maps
18 thereof filed in the Office of the Commissioner of
19 Public Lands in Olympia, Washington; and Lots 2, 3,
20 6, 7, 10, and 11, Block 32, all in the Addition to
21 the Town of Seattle as laid out by A.A. Denny
22 (Commonly known as A.A. Denny's Sixth Addition to
23 the City of Seattle), according to the plat thereof
24 recorded in Volume 1 of Plats, Page 99, in King
25 County, Washington; and that portion of Elliott
26 Avenue, as vacated by City of Seattle Ordinance
27 Number 9123, lying northwesterly of the extension
28 of the southeasterly margin of Blanchard Street and
southwesterly of a line lying 120 feet north-
westerly of and parallel with the extension of the
northwesterly margin of Blanchard Street; and that
portion of Block 33, Addition to the Town of
Seattle as laid out by A.A. Denny (commonly known
as A.A. Denny's Sixth Addition to the City of
Seattle), according to the plat thereof, recorded
in Volume 1 of Plats, Page 99, in King County,
Washington, lying southwesterly of the south-
westerly margin of Elliott Avenue, as condemned by
the City of Seattle, under Ordinance Number 12502
and as conveyed by Deed recorded under Recording
Number 673412; except any portion thereof condemned
for the widening of Armory Way (now known as
Alaskan Freeway) by the City of Seattle under
Ordinance Number 77749; and those portions of
Blanchard Street, Bell Street and Elliott Avenue,
as delineated in said plats which attach thereto
and attach to Block 34 of said plat of A.A. Denny's
Sixth Addition to the City of Seattle by operation
of law upon the vacation thereof; except those

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1 portions lying southwesterly of a line concentric
2 and/or parallel with and 15.0 feet northeasterly
3 from the centerline of Burlington Northern Railroad
4 Company's (formerly Great Northern Railway Company)
5 most northeasterly track, and lying northeasterly
6 of a line concentric and/or parallel with and 15.0
7 feet southwesterly from the centerline of
8 Burlington Northern Railroad Company's (formerly
9 Great Northern Railway Company) most southwesterly
10 track, which pass through said blocks, streets and
11 avenues;

12 Together with an air rights easement of record
13 granted to The Port of Seattle by the Burlington
14 Northern Railroad Company over the Burlington
15 Northern railroad tracks; and
16 Subject to a railroad easement of record granted to
17 Burlington Northern Railroad Company by The Port of
18 Seattle.

19 be and the same is hereby accepted for purposes stated therein.

20 Section 4. That the Lenora Bridge Public Pedestrian Access
21 Easement conveyed by the Port of Seattle on the 5th day of
22 August, 1994 (King County Recording No. 9408050459) to the City
23 of Seattle, King County, Washington for perpetual non-exclusive
24 pedestrian ingress and egress on and across the Lenora Bridge,
25 subject to the terms of the easement, and providing for Port
26 maintenance of said facilities within the following described
27 property in Seattle, King County, Washington:

28 LENORA STREET

That portion of Lenora Street lying between Lot 1,
Block 172B and Lot 6, Block 172A, Seattle Tide
Lands, according to the official maps thereof filed
in the Office of the Commissioner of Public Lands
in Olympia, Washington;

Together with that portion of Lenora Street lying
between Lot 2, Block 30 and Lot 11, Block 31,
Addition to the Town of Seattle as laid out by A.A.
Denny (Commonly known as A.A. Denny's Sixth
Addition to the City of Seattle), according to the
plat thereof recorded in Volume 1 of Plats, Page
99, in King County, Washington.

be and the same is hereby accepted for purposes stated therein.

Section 5. That the easement conveyed by the Port of Seattle,
on the 12th day of August, 1994 (King County Recording No.
9408120553) to the City of Seattle, King County, Washington to
install, construct, operate, maintain, repair, reconstruct,
inspect, use and remove a sewer line across, along, in and upon

1 the following described property in Seattle, King County,
2 Washington:

3 ALASKAN WAY

4 The eastern 31 feet, more or less, or Alaskan Way
5 in the City of Seattle, King County, Washington
6 bounded on the north by the north margin of Bell
7 Street and on the south by a line drawn perpen-
8 dicularly to the east margin of said Alaskan Way
9 distant 25.46 feet south from the south margin of
10 Pine Street. Intersections of Bell Street,
11 Blanchard Street, Lenora Street, Virginia Street,
12 and Pine Street are inclusive.

13 VIRGINIA STREET

14 The portion of Virginia Street lying between Lot 1,
15 Block 173A and Lot 6, Block 172B, Seattle Tide
16 Lands, according to the official maps thereof filed
17 in the Office of the Commissioner of Public Lands
18 in Olympia, Washington;
19 Together with that portion of Virginia Street lying
20 between Lot 2, Block 29 and Lot 11, Block 30,
21 Addition to the Town of Seattle as laid out by A.A.
22 Denny (Commonly known as A.A. Denny's Sixth
23 Addition to the City of Seattle), according to the
24 plan thereof recorded in Volume 1 of Plats, Page
25 99, in King County, Washington.

26 PINE STREET

27 That portion of Pine Street lying between Lot 1,
28 Block 173B and Lot 6, Block 173A, Seattle Tide
Lands, according to the official maps thereof filed
in the Office of the Commissioner of Public Lands
in Olympia, Washington;
Together with that portion of Pine Street lying
between Lot 1, Block 173B, Seattle Tide Lands, and
Lot 11, Block 29, Addition to the Town of Seattle
as laid out by A.A. Denny (Commonly known as A.A.
Denny's Sixth Addition to the City of Seattle),
according to the plat thereof recorded in Volume 1
of Plats, Page 99, in King County, Washington.

be and the same is hereby accepted for purposes stated therein.
Section 6. That the easement conveyed by the Port of Seattle,
on the 12th day of August, 1994 (King County Recording No.
9408120466) to the City of Seattle, King County, Washington to
install, construct, erect, alter, improve, repair, and maintain
guy wires and anchors for overhead utilities across, over,
upon, and under the following described property in Seattle,
King County, Washington:

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1 That portion of vacated Bell Street described as
2 follows:

3 Beginning at the intersection of the northerly line
4 of Bell Street and the westerly line of Elliott
5 Avenue (which is the southeasterly corner of Lot
6 12, Block 30, Bell and Denny's 1st Addition,
7 according to the plat thereof recorded in Volume 1
8 of Plats, page 61, records of King County,
9 Washington;

10 Thence southerly along the westerly line of Elliott
11 Avenue extended, 7.0 feet;

12 Thence westerly and parallel with the northerly
13 line of Bell Street (southerly line of said Lot
14 12), 10.0 feet;

15 Thence northerly and parallel to the westerly line
16 of Elliott Avenue to the northerly line of ell
17 Street (southerly line of Lot 12), 7 feet;

18 Thence easterly along the northerly line of Bell
19 Street (southerly line of Lot 12) to the Point of
20 Beginning.

21 be and the same is hereby accepted for purposes stated therein.

22 Section 7. That the Property Use and Development Agreement
23 executed by the Port of Seattle on the 5th day of August, 1994
24 (King County Recording No. 9408050461), as amended by an
25 amendment executed by the Port of Seattle on the 19 day of
26 August, 1994 (King County Recording No. 9408190264),

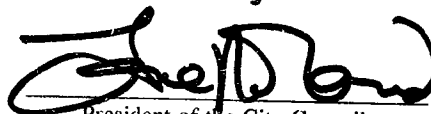
27 by which the Port agrees to certain design guidelines upon the
28 above-described property is hereby accepted and said amendment
is hereby accepted. The City Clerk is authorized and directed
to deliver copies of said agreement to the Directors of the
Department of Construction and Land Use and of Engineering.

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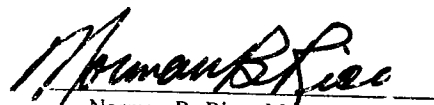
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Section 8. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 22 day of August, 1994 and signed by me in open session in authentication of its passage this 22 day of August, 1994


President of the City Council

Approved by me this 31 day of August, 1994


Norman B. Rice, Mayor

Filed by me this 31 day of August, 1994


Deputy Clerk

(SEAL)

Published _____

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940906-0954 03:12:00 PM KING COUNTY RECORDS 007 JB 13:50

ORDINANCE

117279

1 AN ORDINANCE vacating portions of Bell Street, Elliott Avenue,
2 Alaskan Way, Blanchard Street, Lenora Street, Virginia
3 Street and Pine Street on the petition of the Port of
4 Seattle (Clerk File Nos. 296649 and 297673, as amended);
5 authorizing the Mayor to execute a Quit Claim Deed for the
6 vacated rights-of-way; accepting easements for the
7 pedestrian overpass at Bell Street and the skybridge at
8 Lenora Street; accepting utility easements; and accepting a
9 Property Use and Development Agreement in connection
10 therewith.

11 WHEREAS, there has been filed with the City Council the
12 petition of the Port of Seattle (Clerk File Nos. 296649 and
13 297673, as amended), for the vacation of portions of Bell
14 Street, Elliott Avenue, Alaskan Way, Blanchard Street,
15 Lenora Street, Virginia Street, and Pine Street as herein
16 fully described; and

17 WHEREAS, the Port of Seattle has conveyed easements to US West
18 Communications, King County, Department of Metropolitan
19 Services, and Washington Natural Gas to provide for utility
20 facilities; and

21 WHEREAS, following a public hearing on said petition, which
22 commenced on June 14, 1993, said petition was granted by the
23 City Council; and

24 WHEREAS, compensation for the vacation was established pursuant
25 to the December 27, 1989 Port-City Agreement. Said
26 compensation in the amount of \$2.8M has been paid to the
27 City; and Now, Therefore;

28 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

BELL STREET

That portion of Bell Street lying between Lot 1, Block
171B and Lot 6, Block 171A, Seattle Tide Lands, according
to the official maps thereof filed in the Office of the
Commissioner of Public Lands in Olympia, Washington;
Together with that portion of Bell Street lying between
Lot 2, Block 32, Addition to the Town of Seattle as laid
out by A.A. Denny (Commonly known as A.A. Denny's Sixth
Addition to the City of Seattle), according to the plat
thereof recorded in Volume 1 of Plats, Page 99, in King
County, Washington, and Lot 12, Block 30, Bell & Denny's
1st Addition, according to the plat thereof recorded in
Volume 1 of Plats, Page 61, in King County, Washington.

ELLIOTT AVENUE

That portion of Elliott Avenue, as originally platted,
lying southerly of a line produced southeasterly from the
most northerly corner of Lot 2, Block 32, Addition to the
Town of Seattle as laid out by A.A. Denny (Commonly known
as A.A. Denny's Sixth Addition to the City of Seattle),
according to the plat thereof recorded in Volume 1 of
Plats, Page 99, in King County, Washington, to the point
of intersection with the most northwesterly corner of
that portion of Block 33 of said addition which lies

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1 southwesterly of Elliott Avenue, as condemned by the City
2 of Seattle Ordinance Number 12502, and lying north-
3 westerly of the portion thereof, vacated by the City of
4 Seattle under Ordinance Number 9123.

5 ALASKAN WAY

6 The eastern 31 feet, more or less, of Alaskan Way in the
7 City of Seattle, King County, Washington bounded on the
8 north by the north margin of Bell Street and on the south
9 by a line drawn perpendicularly to the east margin of
10 said Alaskan Way distant 25.46 feet south from the south
11 margin of Pine Street. Intersections of Bell Street,
12 Blanchard Street, Lenora Street, Virginia Street, and
13 Pine Street are inclusive.

14 BLANCHARD STREET

15 That portion of Blanchard Street lying between Lot 1,
16 Block 172A and Lot 6, Block 171B, Seattle Tide Lands,
17 according to the official maps thereof filed in the
18 Office of the Commissioner of Public lands in Olympia,
19 Washington;

20 Together with that portion of Blanchard Street lying
21 between Lot 2, Block 31 and Lot 11, Block 32, Addition to
22 the Town of Seattle as laid out by A.A. Denny (Commonly
23 known as A.A. Denny's Sixth Addition to the City of
24 Seattle), according to the plat thereof recorded in
25 Volume 1 of Plats, Page 99, in King County, Washington.

26 VIRGINIA STREET

27 That portion of Virginia Street lying between Lot 1,
28 Block 173A and Lot 6, Block 172B, Seattle Tide Lands,
according to the official maps thereof filed in the
Office of the Commissioner of Public Lands in Olympia,
Washington;

Together with that portion of Virginia Street lying
between Lot 2, Block 29 and Lot 11, Block 30, Addition to
the Town of Seattle as laid out by A.A. Denny (Commonly
known as A.A. Denny's Sixth Addition to the City of
Seattle), according to the plat thereof recorded in
Volume 1 of Plats, Page 99, in King County, Washington.

PINE STREET

That portion of Pine Street lying between Lot 1, Block
173B and Lot 6, Block 173A, Seattle Tide Lands, according
to the official maps thereof filed in the Office of the
Commissioner of Public Lands in Olympia, Washington;
Together with that portion of Pine Street lying between
Lot 1, Block 173B, Seattle Tide Lands, and Lot 11, Block
29, Addition to the Town of Seattle as laid out by A.A.
Denny (Commonly known as A.A. Denny's Sixth Addition to
the City of Seattle), according to the plat thereof
recorded in Volume 1 of Plats, Page 99, in King County,
Washington.

be and the same is hereby vacated; RESERVING to the City of
Seattle the right to make all necessary slopes for cuts or
fills upon the above-described property in the reasonable

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original grading of any rights-of-way abutting upon said property after said vacation.

Section 2. That the Mayor of the City of Seattle is hereby authorized to convey and quitclaim to the Port of Seattle the above-described property.

Section 3. That the Bell Street Skybridge Pedestrian Access Easement conveyed by the Port of Seattle on the 5th day of August, 1994 (King County Recording No. 9408050460) to the City of Seattle, King County Washington for perpetual non-exclusive pedestrian ingress and egress on and across the Bell Street Skybridge, subject to the terms of the easement, and providing for Port maintenance of said facilities within the above-described vacated property and upon the following described property in Seattle, King County, Washington:

PARCEL BETWEEN BELL AND BLANCHARD STREETS

Lots through 6, inclusive, Block 17AB, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington; and Lots 2, 3, 6, 7, 10, and 11, Block 32, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington; and that portion of Elliott Avenue, as vacated by City of Seattle Ordinance Number 9123, lying northwesterly of the extension of the southeasterly margin of Blanchard Street and southeasterly of a line lying 120 feet northwesterly of and parallel with the extension of the northwesterly margin of Blanchard Street; and that portion of Block 33, Addition to the Town of Seattle as laid out by A.A. Denny (commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof, recorded in Volume 1 of Plats, Page 99, in King County, Washington, lying southwesterly of the southwesterly margin of Elliott Avenue, as condemned by the City of Seattle, under Ordinance Number 12502 and as conveyed by Deed recorded under Recording Number 673412; except any portion thereof condemned for the widening of Armory Way (now known as Alaskan Freeway) by the City of Seattle under Ordinance Number 77749; and those portions of Blanchard Street, Bell Street and Elliott Avenue, as delineated in said plats which attach thereto and attach to Block 34 of said plat of A.A. Denny's Sixth Addition to the City of Seattle by operation of law upon the vacation thereof; except those

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1 portions lying southwesterly of a line concentric
2 and/or parallel with and 15.0 feet northeasterly
3 from the centerline of Burlington Northern Railroad
4 Company's (formerly Great Northern Railway Company)
5 most northeasterly track, and lying northeasterly
6 of a line concentric and/or parallel with and 15.0
7 feet southwesterly from the centerline of
8 Burlington Northern Railroad Company's (formerly
9 Great Northern Railway Company) most southwesterly
10 track, which pass through said blocks, streets and
11 avenues;

12 Together with an air rights easement of record
13 granted to The Port of Seattle by the Burlington
14 Northern Railroad Company over the Burlington
15 Northern railroad tracks; and
16 Subject to a railroad easement of record granted to
17 Burlington Northern Railroad Company by The Port of
18 Seattle.

19 be and the same is hereby accepted for purposes stated therein.

20 Section 4. That the Lenora Bridge Public Pedestrian Access
21 Easement conveyed by the Port of Seattle on the 5th day of
22 August, 1994 (King County Recording No. 9408050459) to the City
23 of Seattle, King County, Washington for perpetual non-exclusive
24 pedestrian ingress and egress on and across the Lenora Bridge,
25 subject to the terms of the easement, and providing for Port
26 maintenance of said facilities within the following described
27 property in Seattle, King County, Washington:

28 LENORA STREET

That portion of Lenora Street lying between Lot 1,
Block 172B and Lot 6, Block 172A, Seattle Tide
Lands, according to the official maps thereof filed
in the Office of the Commissioner of Public Lands
in Olympia, Washington;

Together with that portion of Lenora Street lying
between Lot 2, Block 30 and Lot 11, Block 31,
Addition to the Town of Seattle as laid out by A.A.
Denny (Commonly known as A.A. Denny's Sixth
Addition to the City of Seattle), according to the
plat thereof recorded in Volume 1 of Plats, Page
99, in King County, Washington.

be and the same is hereby accepted for purposes stated therein.

Section 5. That the easement conveyed by the Port of Seattle,
on the 12th day of August, 1994 (King County Recording No.
9408120553) to the City of Seattle, King County, Washington to
install, construct, operate, maintain, repair, reconstruct,
inspect, use and remove a sewer line across, along, in and upon

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the following described property in Seattle, King County,
Washington:

ALASKAN WAY

The eastern 31 feet, more or less, or Alaskan Way
in the City of Seattle, King County, Washington
bounded on the north by the north margin of Bell
Street and on the south by a line drawn perpen-
dicularly to the east margin of said Alaskan Way
distant 25.46 feet south from the south margin of
Pine Street. Intersections of Bell Street,
Blanchard Street, Lenora Street, Virginia Street,
and Pine Street are inclusive.

VIRGINIA STREET

The portion of Virginia Street lying between Lot 1,
Block 173A and Lot 6, Block 172B, Seattle Tide
Lands, according to the official maps thereof filed
in the Office of the Commissioner of Public Lands
in Olympia, Washington;
Together with that portion of Virginia Street lying
between Lot 2, Block 29 and Lot 11, Block 30,
Addition to the Town of Seattle as laid out by A.A.
Denny (Commonly known as A.A. Denny's Sixth
Addition to the City of Seattle), according to the
plan thereof recorded in Volume 1 of Plats, Page
99, in King County, Washington.

PINE STREET

That portion of Pine Street lying between Lot 1,
Block 173B and Lot 6, Block 173A, Seattle Tide
Lands, according to the official maps thereof filed
in the Office of the Commissioner of Public Lands
in Olympia, Washington;
Together with that portion of Pine Street lying
between Lot 1, Block 173B, Seattle Tide Lands, and
Lot 1, Block 29, Addition to the Town of Seattle
as laid out by A.A. Denny (Commonly known as A.A.
Denny's Sixth Addition to the City of Seattle),
according to the plat thereof recorded in Volume 1
of Plats, Page 99, in King County, Washington.

be and the same is hereby accepted for purposes stated therein.

Section 6. That the easement conveyed by the Port of Seattle,
on the 12th day of August, 1994 (King County Recording No.
9408120466) to the City of Seattle, King County, Washington to
install, construct, erect, alter, improve, repair, and maintain
guy wires and anchors for overhead utilities across, over,
upon, and under the following described property in Seattle,
King County, Washington:

9409060954

1 That portion of vacated Bell Street described as
2 follows:

3 Beginning at the intersection of the northerly line
4 of Bell Street and the westerly line of Elliott
5 Avenue (which is the southeasterly corner of Lot
6 12, Block 30, Bell and Denny's 1st Addition,
7 according to the plat thereof recorded in Volume 1
8 of Plats, page 61, records of King County,
9 Washington;

10 Thence southerly along the westerly line of Elliott
11 Avenue extended, 7.0 feet;

12 Thence westerly and parallel with the northerly
13 line of Bell Street (southerly line of said Lot
14 12), 10.0 feet;

15 Thence northerly and parallel to the westerly line
16 of Elliott Avenue to the northerly line of ell
17 Street (southerly line of Lot 12), 7 feet;

18 Thence easterly along the northerly line of Bell
19 Street (southerly line of Lot 12) to the Point of
20 Beginning.

21 be and the same is hereby accepted for purposes stated therein.

22 Section 7. That the Property Use and Development Agreement
23 executed by the Port of Seattle on the 5th day of August, 1994
24 (King County Recording No. 9408050461), as amended by an
25 amendment executed by the Port of Seattle on the 19 day of
26 August, 1994 (King County Recording No. 9408190264),

27 by which the Port agrees to certain design guidelines upon the
28 above-described property is hereby accepted and said amendment
is hereby accepted. The City Clerk is authorized and directed
to deliver copies of said agreement to the Directors of the
Department of Construction and Land Use and of Engineering.

9409060954

9409060954

STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

} ss

I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY
CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT
COPY OF Ordinance 117279

AS THE SAME APPEARS ON FILE, AND OF RECORD IN THIS DEPARTMENT.

IN WITNESS WHEREOF, I HAVE HEREunto SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE, this 6th day of Sept. 1994

Margaret Carter

[Signature]

Section 8. This ordinance shall take effect and be in force thirty days from and after its
passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall
become a law under the provisions of the city charter.

Passed by the City Council on 22 August, 1994 and signed by
me in open session in authentication of its passage this 22 day of August, 1994

[Signature]
President of the City Council

Approved by me this 31 day of August, 1994

[Signature]
Norman B. Rice, Mayor

Filed by me this 31 day of August, 1994

Margaret Carter
Deputy Clerk

(SEAL)

Published _____

Amended
CB110287
000 117279

AMENDMENT TO
PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS INSTRUMENT, executed this date in favor of The City of Seattle, a municipal corporation (herein "City"), by the Port of Seattle, the undersigned owner of the within-described property (herein "Port"):

WITNESSETH:

WHEREAS, the Port is the owner in fee simple and/or has a substantial beneficial interest in the properties described in Exhibit A attached hereto and incorporated by reference (herein called "Property"); and

WHEREAS, a Property Use and Development Agreement ("PUDA") was executed by the Port on August 4, 1994, and recorded in the records of King County under Recording No. 9408050461, in connection with the street vacations under C.F. Nos. 296649 and 297673 for the streets described in Exhibit B attached hereto and incorporated by reference; and

WHEREAS, the Port and the City have determined that an amendment to the PUDA is necessary;

NOW, THEREFORE, the Port hereby covenants, bargains and agrees on behalf of itself and its heirs, successors and assigns, that if the vacation petitions are approved, the Property and vacated parcels shall be developed in accordance with the following conditions: *

Section 1. Section 1.D. of the PUDA is hereby amended and replaced by the following provision (with new language shown as underlined):

D. The Port may phase the construction of the public amenities referenced in Section 1.B, but the Port or its designee shall complete construction of all these amenities within six (6) years from the date of this Property Use and Development Agreement, unless extended by the City Council of the City of Seattle; provided, however, that in the case of Pine Street, this deadline does not apply, and instead, if City street use permits for the new Pine Street alignment referenced in Section 1.E are not applied for within six (6) years from the date of this Property Use and Development Agreement, then the Port or its successors shall reconvey the existing Pine Street alignment and the portion of Alaskan Way 25.46 feet south from the south margin of Pine Street to the City, and the requirements of

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the Design Guidelines related to the vacation of Pine Street would then be inapplicable. The Port shall construct the Bell Street skybridge, the new Lenora Bridge, the complete multi-purpose public trail along Alaskan Way between Wall and Blanchard Streets, and a partial trail between Blanchard and Lenora Streets consisting of the trail surface and guardrail, in alignment with the existing Port-constructed trail between Lenora and Pike Streets. Both the complete section of the multi-purpose public trail and the partial multi-purpose trail shall be completed no later than completion of construction of the Port's pier-side development at Pier 66. As part of the phasing of improvements, it is anticipated that a private developer selected by the Port will complete the multi-purpose public trail between Blanchard and Pike Streets, and install the special treatment of crosswalks on Alaskan Way as described in the Design Guidelines. If construction of the amenities referenced in Section 1.B, with the exception of the enhanced stairway at Pine Street, is not begun or substantially completed within the time limits of this Section, including any Council-approved extensions, then the City shall have the right to construct the remaining required amenities and bill the Port for the actual documented costs, including administrative expenses, of construction of the remaining amenities and the Port shall pay said costs within ninety (90) days of receiving the bill. Interest in the amount of one percent (1%) per month, compounded monthly, or the highest amount permitted by law, whichever is lower, shall be paid on any costs not repaid within ninety (90) days.

Section 2. Section 1.E. of the PUDA is hereby amended and replaced by the following provision (with new language shown as underlined):

E. The existing Pine Street alignment and the portion of Alaskan Way 25.46 feet south from the south margin of Pine Street shall not be eliminated as a public street, until the Port or its designee has conveyed property to the City for a new Pine Street alignment, received written approval of City street use permits for the new Pine Street alignment, and constructed or caused to be constructed the new Pine Street alignment as a public street.

Section 3. All other portions of the PUDA remain unchanged, in full force and effect.

DATED this 18th day of August, 1994,

OWNER:

PORT OF SEATTLE

By
Its

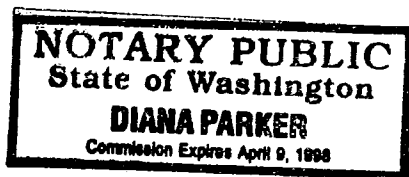
M.R. Dinamore

M.R. Dinamore
Executive Director

STATE OF WASHINGTON)
COUNTY OF KING) ss.

On this 18th day of August, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared M.R. Dinamore, to me known to be the Executive Director of the PORT OF SEATTLE, a municipal corporation, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.



Diana Parker
Name DIANA PARKER
NOTARY PUBLIC in and for the
State of Washington, residing
at Seattle WA
My commission expires 4-9-98

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EXHIBIT A

LEGAL DESCRIPTIONS OF EXISTING PARCELS

PARCEL BETWEEN BELL AND BLANCHARD STREETS

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Lots 1 through 6, inclusive, Block 171B, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington; and Lots 2, 3, 6, 7, 10, and 11, Block 32, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington; and that portion of Elliott Avenue, as vacated by City of Seattle Ordinance Number 9123, lying northwesterly of the extension of the southeasterly margin of Blanchard Street and southeasterly of a line lying 120 feet northwesterly of and parallel with the extension of the northwesterly margin of Blanchard Street; and that portion of Block 33, Addition to the Town of Seattle as laid out by A.A. Denny (commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof, recorded in Volume 1 of Plats, Page 99, in King County, Washington, lying southwesterly of the southwesterly margin of Elliott Avenue, as condemned by the City of Seattle, under Ordinance Number 12502 and as conveyed by Deed recorded under Recording Number 673412; except any portion thereof condemned for the widening of Armory Way (now known as Alaskan Freeway) by the City of Seattle under Ordinance Number 77749; and those portions of Blanchard Street, Bell Street and Elliott Avenue, as delineated in said plats which attach thereto and attach to Block 34 of said plat of A.A. Denny's Sixth Addition to the City of Seattle by operation of law upon the vacation thereof; except those portions lying southwesterly of a line concentric and/or parallel with and 15.0 feet northeasterly from the centerline of Burlington Northern Railroad Company's (formerly Great Northern Railway Company) most northeasterly track, and lying northeasterly of a line concentric and/or parallel with and 15.8 feet southwesterly from the centerline of Burlington Northern Railroad Company's (formerly Great Northern Railway Company) most southwesterly track, which pass through said blocks, streets and avenues;

Together with an air rights easement of record granted to The Port of Seattle by the Burlington Northern Railroad Company over the Burlington Northern railroad tracks; and

Subject to a railroad easement of record granted to Burlington Northern Railroad Company by The Port of Seattle.

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PARCEL BETWEEN BLANCHARD AND LENORA STREETS

Lots 1 through 6, inclusive, Block 172A, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with Lots 2, 3, 6, 7, 10, and 11, Block 31, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington (Not including any portion of vacated Elliott Avenue adjoining Block 31).

PARCEL BETWEEN LENORA AND VIRGINIA STREETS

Lots 1 through 6, inclusive, Block 172B, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with Lots 2, 3, 6, 7, 10, and 11, Block 30, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington (Not including any portion of vacated Elliott Avenue adjoining Block 30).

PARCEL BETWEEN VIRGINIA AND PINE STREETS

Lots 1 through 6, inclusive, Block 173A, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with Lots 2, 3, 6, 7, 10, and 11, Block 29, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington;

EXCEPT that portion of Lot 6, of said Block 173A, and Lots 10 and 11 of said Block 29 condemned for street purposes in King County Superior Court Cause No. 3997727.

PARCEL SOUTH OF PINE STREET

That portion of Lot 1, Block 173B, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington, described as follows:

Beginning at the most Westerly corner of said Lot 1;
thence North 58°14'50" East along Northwesternly line of said lot, a distance of 65.29 feet;
thence South 49°02'10" East 46.06 feet to the true point of beginning;
thence South 40°57'50" West 45 feet;
thence North 49°02'10" West 40 feet;
thence South 40°57'50" West 17.53 feet to a point on the Southwesterly line of said Lot 1;
thence North 48°49'51" West 25.52 feet to said Westerly corner of said Lot 1;
thence North 58°14'50" East 90.62 feet to a point on the Southwesterly line of a tract of land condemned in King County Superior Court Cause No. 397727, under Ordinance No. 77749 of the City of Seattle;
thence Southeasterly along said line, to a point which bears North 40°57'50" East from the point of beginning;
thence south 40°57'50" west to the true point of beginning.

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EXHIBIT B

LEGAL DESCRIPTIONS OF STREET VACATION AREAS

BELL STREET

That portion of Bell Street lying between Lot 1, Block 171B and Lot 6, Block 171A, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with that portion of Bell Street lying between Lot 2, Block 32, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington, and Lot 12, Block 30, Bell & Denny's 1st Addition, according to the plat thereof recorded in Volume 1 of Plats, Page 61, in King County, Washington.

ELLIOTT AVENUE

That portion of Elliott Avenue, as originally platted, lying southerly of a line produced southeasterly from the most northerly corner of Lot 2, Block 32, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington, to the point of intersection with the most northwesterly corner of that portion of Block 33 of said addition which lies southwesterly of Elliott Avenue, as condemned by the City of Seattle Ordinance Number 12502, and lying northwesterly of the portion thereof vacated by the City of Seattle under Ordinance Number 9123.

ALASKAN WAY

The eastern 31 feet, more or less, of Alaskan Way in the City of Seattle, King County, Washington bounded on the north by the north margin of Bell Street and on the south by a line drawn perpendicularly to the east margin of said Alaskan Way distant 25.46 feet south from the south margin of Pine Street. Intersections of Bell Street, Blanchard Street, Lenora Street, Virginia Street, and Pine Street are inclusive.

BLANCHARD STREET

That portion of Blanchard Street lying between Lot 1, Block 172A and Lot 6, Block 171B, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public lands in Olympia, Washington;

Together with that portion of Blanchard Street lying between Lot 2, Block 31 and Lot 11, Block 32, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

LENORA STREET

That portion of Lenora Street lying between Lot 1, Block 172B and Lot 6, Block 172A, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with that portion of Lenora Street lying between Lot 2, Block 30 and Lot 11, Block 31, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

VIRGINIA STREET

That portion of Virginia Street lying between Lot 1, Block 173A and Lot 6, Block 172B, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with that portion of Virginia Street lying between Lot 2, Block 29 and Lot 11, Block 30, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

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PINE STREET

That portion of Pine Street lying between Lot 1, Block 173B and Lot 6, Block 173A, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with that portion of Pine Street lying between Lot 1, Block 173B, Seattle Tide Lands, and Lot 11, Block 29, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

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COPY

PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS INSTRUMENT, executed this date in favor of The City of Seattle, a municipal corporation (herein "City"), by the Port of Seattle, the undersigned owner of the within-described property (herein "Port"):

WITNESSETH:

WHEREAS, the Port is the owner in fee simple and/or has a substantial beneficial interest in the properties described in Exhibit A attached hereto and incorporated by reference (herein called "Property"); and

WHEREAS, the Port has proposed future construction of a mixed-use project to be located on the Property, along with a multi-purpose public trail along Alaskan Way east of the waterfront trolley, enhanced pedestrian connections from the Denny Regrade to the waterfront via a skybridge at Bell Street from Elliott Avenue to Pier 66, enhanced pedestrian connections from the Pike Place Market to the waterfront via a new bridge at Lenora Street and an enhanced stairway at Pine Street; and

WHEREAS, a petition was filed in 1988 (C.F. 296649) pursuant to RCW ch. 35.79 and Seattle Municipal Code ch. 15.62 by the Port with the City to vacate those portions of Virginia Street, Lenora Street, and Pine Street adjoining the Property which are described in Exhibit B attached hereto and incorporated by reference; and

WHEREAS, a petition was filed in 1989 (C.F. 297673) pursuant to RCW ch. 35.79 and Seattle Municipal Code ch. 15.62 by the Port with the City to vacate those portions of Blanchard Street and Alaskan Way adjoining the Property which are described in Exhibit B attached hereto and incorporated by reference; and

WHEREAS, the Board of Public Works held a public hearing on March 9, 1990 to consider the two street vacation petitions, following which the Board recommended to the City Council for the City of Seattle that the petitions be granted subject to certain reservations and conditions; and

WHEREAS, the Transportation Committee of the City Council for the City of Seattle held several public hearings on the street vacation petitions between March and June 1990, following which at its meeting on June 19, 1990 the Committee granted preliminary approval of the two street vacation petitions, and with the further direction that City staff work with the Port on

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design guidelines for the project and on conditions which would mitigate the impacts of the street vacations; and

WHEREAS, the street vacation petition C.F. 297673 was amended in 1991 to add vacation of those portions of Bell Street and Elliott Avenue adjoining the Property which are described in Exhibit B attached hereto and incorporated by reference, and also to add vacation of the aerial portion of Alaskan Way between Bell Street and Pier 66 to allow construction of the Bell Street skybridge; and

WHEREAS, after two years of work between City staff and Port staff, and with public review, the City issued Design Guidelines in September 1992 for both the street vacation petitions, as amended, which recommended that the street vacation petitions be granted subject to certain reservations and conditions, excepting that the Design Guidelines recommended denial of the vacation of the aerial portion of Alaskan Way and that a term permit be issued for construction of the Bell Street skybridge in lieu of that aerial vacation; and

WHEREAS, the successor to the Board of Public Works, the Street Use Appeals Board, held a public hearing on November 6, 1992, and filed its report to the City Council of the City of Seattle on the petitions on or about February 26, 1993, recommending concurrence with the Design Guidelines; and

WHEREAS, on December 1, 1992, the Port submitted a request for a term permit for the Bell Street skybridge, as the form of authorization in lieu of an aerial vacation of Alaskan Way; and

WHEREAS, the Seattle Engineering Department recommended conceptual approval of the Bell Street skybridge term permit to the City Council for the City of Seattle in a letter dated May 7, 1993; and

WHEREAS, pursuant to Resolution 28732 a public hearing was held on the street vacation petitions on June 14, 1993 before the Transportation Committee for the City Council of the City of Seattle; and

WHEREAS, the City Council of the City of Seattle reviewed the record in connection with the street vacation petitions, as amended, and concluded that the petitions furthered the City's Street Vacation Policies and were consistent with the criteria for approval, with the exception of the aerial portion of Alaskan Way, and therefore approved the petitions on October 11, 1993 subject to certain reservations and conditions, and approved the Bell Street skybridge term permit in concept form on November 11,

1993 (Resolution 28747) in lieu of the aerial vacation of Alaskan Way; and

WHEREAS, the reservations and conditions stipulated by the City Council were: (1) the Port must execute and record an agreement with the City pertaining to the use and development of the Property, including incorporation of the September 1992 Design Guidelines; (2) the Port must grant easements and/or make arrangements for the relocation of or access to utilities to the satisfaction of the various utilities; (3) the multi-purpose public trail along Alaskan Way must be excluded from the Alaskan Way street vacation area so that it remains in public ownership, thus resulting in vacation of a strip approximately 31 feet wide along Alaskan Way rather than the original request for vacation of a strip 42 feet wide of Alaskan Way; and (4) that pedestrian access easements be conveyed to the City to ensure public access on the Bell Street skybridge, new Lenora Bridge, and enhanced stairway at Pine Street; and

WHEREAS, the Port has submitted applications for street use permits and term permits to authorize construction of the Bell Street skybridge, new Lenora Bridge, and multi-purpose public trail along Alaskan Way;

NOW, THEREFORE, the Port hereby covenants, bargains and agrees on behalf of itself and its heirs, successors and assigns, that if the vacation petitions are approved, the Property and vacated parcels shall be developed in accordance with the following conditions:

Section 1. Development of the Property and street vacation areas shall be in accordance with the following conditions:

A. Development shall comply with the requirements of the City's September 1992 Design Guidelines, a copy of which is attached hereto as Exhibit C and incorporated by reference, and development shall also incorporate wherever possible the non-required, but recommended, provisions within the City's September 1992 Design Guidelines. Minor changes to these Design Guidelines may be approved by the Seattle Engineering Department, if the proposed revision is consistent with the intent of the Design Guidelines. Examples of minor changes to the Design Guidelines that have already been approved by the Engineering Department are: (1) the sidewalk on the west side of Alaskan Way can be less than twenty (20) feet in some locations, per the approved street use permit plans, and (2) the elevator and stair on the east side of the Bell Street skybridge can be eliminated. Any major changes to the Design Guidelines or to the proposed project, as determined jointly by the

Engineering Department, Department of Neighborhoods and Department of Construction and Land Use, shall require further review and approval by the City Council of the City of Seattle.

B. The Port shall cause to be constructed the public amenities described herein, consisting of the Bell Street skybridge, the new Lenora Bridge, the multi-purpose public trail along Alaskan Way and the enhanced stairway at Pine Street, all as more fully described in the September 1992 Design Guidelines.

C. The Port shall not transfer ownership of any of the public amenities referenced in Section 1.B to a private party, without the prior written consent of the City Council of the City of Seattle.

D. The Port may phase the construction of the public amenities referenced in Section 1.B, but the Port or its designee shall complete construction of all these amenities within six (6) years from the date of this Property Use and Development Agreement, unless extended by the City Council of the City of Seattle; provided, however, that in the case of Pine Street, this deadline does not apply, and instead, if City street use permits for the new Pine Street alignment referenced in Section 1.E are not applied for within six (6) years from the date of this Property Use and Development Agreement, then the Port or its successors shall reconvey the existing Pine Street alignment to the City, and the requirements of the Design Guidelines related to the vacation of Pine Street would then be inapplicable. The Port shall construct the Bell Street skybridge, the new Lenora Bridge, the complete multi-purpose public trail along Alaskan Way, between Wall and Blanchard Streets, and a partial trail between Blanchard and Lenora Streets consisting of the trail surface and guardrail, in alignment with the existing Port-constructed trail between Lenora and Pike Streets. Both the complete section of the multi-purpose public trail and the partial multi-purpose trail shall be completed no later than completion of construction of the Port's pier-side development at Pier 66. As part of the phasing of improvements, it is anticipated that a private developer selected by the Port will complete the multi-purpose public trail between Blanchard and Pike Streets, and install the special treatment of crosswalks on Alaskan Way as described in the Design Guidelines. If construction of the amenities referenced in Section 1.B, with the exception of the enhanced stairway at Pine Street, is not begun or substantially completed within the time limits of this Section, including any Council-approved extensions, then the City shall have

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

the right to construct the remaining required amenities and bill the Port for the actual documented costs, including administrative expenses, of construction of the remaining amenities and the Port shall pay said costs within ninety (90) days of receiving the bill. Interest in the amount of one percent (1%) per month, compounded monthly, or the highest amount permitted by law, whichever is lower, shall be paid on any costs not repaid within ninety (90) days.

E. The existing Pine Street alignment shall not be eliminated as a public street, until the Port or its designee has conveyed property to the City for a new Pine Street alignment, received written approval of City street use permits for the new Pine Street alignment, and constructed or caused to be constructed the new Pine Street alignment as a public street.

F. Pursuant to the December 27, 1989 Port-City Agreement, the City shall pay one-half (1/2) of the construction costs of the multi-purpose public trail, but not to exceed \$350,000, according to the design approved under issued City permits, which is to be constructed by the Port on Alaskan Way between Wall and Lenora Streets. Following construction of the trail, the Port shall notify the City of the actual costs of trail construction, and the City shall pay its portion of the trail construction costs, as described herein, within ninety (90) days of receiving said notice from the Port. The Port shall pay all remaining costs of construction of the trail.

G. Maintenance and policing of the multi-purpose public trail within Alaskan Way shall be the responsibility of the City. Maintenance of the improvements east of the new edge of the Alaskan Way right-of-way shall be the responsibility of the Port, its heirs, successors, and assigns.

Section 2. This Property Use and Development Agreement (herein called "PUDA") shall be recorded in the records of King County and the covenants hereof shall be deemed to attach to and run with the Property and shall apply to after-acquired title of the Port to the properties which are part of the Port's Central Waterfront Project.

Section 3. Compensation for the street vacation areas is governed by the December 27, 1989 Port-City Agreement.

Section 4. This PUDA may be amended or modified by agreement between the Port and the City; provided such amended PUDA shall be approved by the legislative authority of the City by ordinance.

Nothing in this PUDA shall be construed as a surrender of the City's governmental powers.

Section 5. This PUDA is made for the benefit of the City and the public. The City or the Port may institute and prosecute any proceeding at law or in equity to enforce this PUDA.

Section 6. The Lenora Bridge and Bell Street skybridge shall remain the exclusive responsibility of the Port. The Port, by its execution of this PUDA, does release the City from any and all claims resulting from damage or loss to its own property and does covenant and agree for itself, its successors and assigns, with The City of Seattle to at all times protect and save harmless The City of Seattle from all claims, actions, suits, liability, loss, costs, expense or damages of every kind and description (excepting only such damages that may result from the sole negligence of the City), which may accrue to, or be suffered by, any person or persons and/or property or properties, including without limitation, damage or injury to the Port, its officers, agents, employees, contractors, invitees, tenants and tenants' invitees, licensees or their successors and assigns, by reason of the maintenance, operation or use of said Lenora Bridge and Bell Street skybridge, or any portion thereof, or by reason of anything that has been done, or may at any time be done, by the Port, its successors or assigns, by reason of this PUDA, or by reason of the Port, its successors or assigns, failing or refusing to strictly comply with each and every provision of this PUDA; and if any such suit, action or claim shall be filed, instituted or begun against the City, the Port, its successors or assigns, shall, upon notice thereof from the City, defend the same at its or their sole cost and expense, and in case judgment shall be rendered against the City in any suit or action, the Port, its successors or assigns, shall fully satisfy said judgment within ninety (90) days after such action or suit shall have been finally determined, if determined adversely to the City. Provided that if it is determined by a court of competent jurisdiction that RCW 4.24.115 applies to this PUDA, then in the event claims or damages are caused by or result from the concurrent negligence of: (a) the City, its agents, contractors, or employees; and, (b) the Port, its agents, contractors, employees or its successors or assigns, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Port or Port's agents, contractors, employees or its successors or assigns.

Section 7. The Port will require that any or all of its contractors or its designee's contractors performing construction of the public amenities described herein name the City as an additional insured on all policies of public liability insurance, and shall require inclusion on all pertinent contract documents

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a provision extending construction indemnities and warranties granted to the Port to the City.

Section 8. It is further expressly agreed that in the event any covenant or condition or restriction hereinabove contained or any portion thereof is invalid or void, such invalidity or voidness shall in no way affect any other covenant, condition or restriction hereinabove contained.

DATED this 4th day of August, 1994.

OWNER:

PORT OF SEATTLE

By M.R. Dinsmore
Its

M.R. Dinsmore
Executive Director

STATE OF WASHINGTON)
COUNTY OF KING) ss.

On this 4th day of August, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared M.R. Dinsmore, to me known to be the Executive Director of the PORT OF SEATTLE, a municipal corporation, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.

Thomas H. Tanaka
Name Thomas H. Tanaka
NOTARY PUBLIC in and for the
State of Washington, residing
at Bellevue
My commission expires 11/1/96.

321037

From: Beverly Barnett
To: Sea-Leg.Council & Central Staff.MCHOE, SED.EMD.GZA...
Date: 8/15/94 6:07pm
Subject: Port PUDA, one minor but necessary amendment

After meeting late this afternoon with the owners of property south of Pine Street, I believe one amendment is necessary to protect their access. The PUDA provides that the existing Pine Street right-of-way cannot be closed until the new Pine Street is constructed. The PUDA also provides that in the event that Pine Street is not realigned within 6 years, Pine Street must be rededicated as a public right-of-way. However, an access problem could occur in the event that only Pine Street is rededicated.

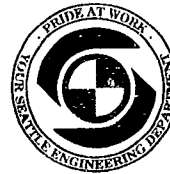
The Port should also reconvey a small portion of Alaskan Way (about 25 feet) if Pine Street is not realigned. The vacation of Alaskan Way extends to the point where the new Pine Street begins. Adjacent property owners are concerned that their access to their property could be curtailed if the new Pine Street is not constructed. In order to ensure their protection we are proposing that the PUDA be amended to provide that in the event that Pine Street is rededicated, the Port will also rededicate the portion of Alaskan Way 25.46 feet south from the south margin of Pine Street.

This change was been discussed by Law, and by the Port's attorney at the end of the day. We are all in agreement that the proposed change is necessary.

CC: CLEM:MMH

Seattle Engineering Department

Gary Zarker, Director
Norman B. Rice, Mayor



August 10, 1994

Honorable Martha Choe, Chair
Transportation Committee
Seattle City Council
600 Fourth Avenue
Seattle, Washington 98104

VIA: Mayor Rice

ATTENTION: Office of Management and Budget

SUBJECT: Vacations for the Port of Seattle Central Waterfront Project, portions of Bell Street, Elliott Avenue, Alaskan Way, Blanchard Street, Lenora Street, Virginia Street and Pine Street
Clerk File Nos. 296649 and 297673, as amended

Honorable Members:

I am pleased to forward the final legislation for the Port's Central Waterfront Project. This Council Bill will accomplish several things, including:

1. Vacating portions of Bell Street, Elliott Avenue, Alaskan Way, Blanchard Street, Lenora Street, Virginia Street, and Pine Street, as fully described in the Council Bill (C.F. Nos. 296649 and 297673, as amended);
2. Accepting various utility easements;
3. Authorizing the Mayor to execute a Quit Claim Deed for the vacated rights-of-way. The Quit Claim Deed is required by an earlier agreement between the City and the Port;
4. Accepting the Lenora Bridge Public Pedestrian Access Easement. This easement insures the public perpetual access to the Lenora Street skybridge and viewpoint, and provides for Port maintenance of the facility;
5. Accepting the Bell Street Skybridge Public Pedestrian Access Easement. The easement insures the public perpetual access across the Bell Street skybridge from Elliott Avenue to Pier 66, and provides for Port maintenance of the facility; and

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Honorable Members
August 10, 1994
Page 2

6. Accepting a Property Use and Development Agreement (PUDA) which specifies all of the conditions imposed on the vacations, including the Design Guidelines.

BACKGROUND

The Port has proposed a mixed-use project on the site which will include a variety of uses such as a hotel, commercial and retail space, and housing development. A number of public amenities will be provided which include a multi-purpose public trail along Alaskan Way east of the waterfront trolley, enhanced pedestrian connections from the Denny Regrade to the waterfront via a skybridge at Bell Street from Elliott Avenue to Pier 66, enhanced pedestrian connections from the Pike Place Market to the waterfront via a new bridge at Lenora Street, and a new stairway connection at Pine Street.

The Port began the vacation process in 1988 when it petitioned for the vacation of Virginia, Lenora, and Pine streets in C.F. 296649. In 1989, C.F. 297673 was filed containing a request to vacate Blanchard Street, and 42 feet of Alaskan Way. In 1991, the existing vacation petitions were amended to include Bell Street, Elliott Avenue and the aerial portion of Alaskan Way at Bell Street. The City Council held a public hearing on the vacations and the Port's proposal at that time. The City Council granted preliminary, conceptual approval for the vacations if the Port could define a project which would enhance the City's long term visions for the waterfront and provide for enhanced public access and amenities. The Council directed City staff and the Port to work together and bring back to the Council a coordinated and final proposal.

In 1990, when the City Council gave preliminary approval to the vacations, a design review team was convened. The design review team met regularly for two years before completing its recommendations. After the Recommended Design Guidelines were completed the project went back to the City Council for review.

Following a public hearing which was held on June 14, 1993, the Council granted the vacations subject to number of conditions. The City Council:

1. Adopted the Recommended Design Guidelines as conditions of the vacations;
2. Denied the aerial vacation of Alaskan Way;
3. Narrowed the portion of Alaskan Way which was to be vacated to approximately 31 feet;

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Honorable Members
August 10, 1994
Page 3

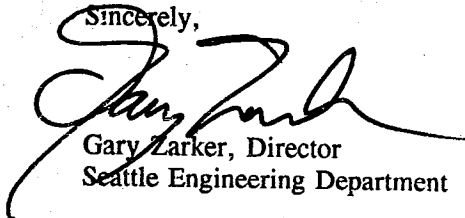
4. Required that the multi-purpose trail remain as public right-of-way;
5. Required that the Port fully satisfy the concerns of the affected utilities;
6. Required a Property Use and Development Agreement (PUDA) which specified all of the conditions imposed on the vacations; and
7. Required that public access easements be provided for the Bell Street skybridge, the Lenora Street skybridge, and the new stairway connection at Pine Street.

RECOMMENDATION

The Port has satisfied the conditions of the vacation. The Port has paid a vacation fee of \$2.8M. The fee was established by a prior agreement between the City and the Port.

I recommend approval of this Council Bill.

Sincerely,



Gary Zarker, Director
Seattle Engineering Department

Enclosure

cc: Mark Clemmens, Plan Review
Joe Jainga, Washington Natural Gas
Roy Lukins, US West Communications
Roger Neill, City Light/Pole Division
Susan Solberg, Metro Property Management
Lionel Sun, Water Department
James Young, Seattle Steam Company

Seattle Engineering Department

Gary Zarker, Director
Norman B. Rice, Mayor



Date: August 1, 1994

To: Martha Choe, Chair
Transportation Committee

From: Beverly Barnett, SED

SUBJECT: FINAL LEGISLATION FOR THE PORT'S CENTRAL WATERFRONT PROJECT

Attached are three pieces of title-only legislation relating to the Port's Central Waterfront Project. We are coordinating our work so that we will bring to the Committee the vacation ordinance and the ordinances for the Bell Street overpass and the Lenora Street skybridge at the same time. The Port is very grateful that you were willing to schedule these items for the August 16 Transportation Committee even though we are still working on all the final documents. The Port Commission authorized the payment of the vacation fee on July 26. I expect to receive the \$2.8M on the afternoon of August 2.

I believe we can have everything completed so that the Committee can take action on the vacation ordinance and the overpass and skybridge legislation on August 16.

Work Completed:

1. The documents, which include the Property Use and Development Agreement, and Public Access and Maintenance Agreements for Bell Street Overpass and Lenora Street skybridge are being put into final form.
2. The utility easements are close to completion, the Port is still working with City Light and WNG. All the other necessary easements have been secured.
3. The Quit Claim Deed has been prepared. Normally, street vacations do not require a quit claim deed, however, an earlier agreement with the Port specified that a deed for the vacated property would be provided to the Port. This has been prepared and the original will go to the Mayor for his signature after the vacation ordinance has been passed.

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Steps Remaining before the final legislation can be passed:

1. The PUDA, Lenora Bridge Public Pedestrian Access Easement, and the Lenora Bridge Public Pedestrian Access Easement must be signed by the Port. The documents are only signed by the Port, the Port is committing to the conditions and maintenance conditions imposed by the City. The documents should go to Mic Dinsmore for signature this week as soon as the finals are completed.
2. Record the PUDA. Once the Port signs the PUDA the document must be recorded at King County. Once recorded the PUDA binds any and all future purchasers of the property to the Council-imposed conditions.
3. Complete final legislation, the final ordinance must include the recording number of the PUDA. A draft has been prepared and is ready to complete as soon as the recording number is available.
4. The Port must secure all remaining easements, and provide copies for inclusion in the ordinance file.

Steps following the final ordinance:

1. The Mayor executes the Quit Claim Deed and delivers to the Port.

I may have missed something, but this is basically what we need to do to finish this project. Again, thank you for your help in getting this finished. Please let me know if you would like any additional information.

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EXHIBIT A

LEGAL DESCRIPTIONS OF EXISTING PARCELS

PARCEL BETWEEN BELL AND BLANCHARD STREETS

Lots 1 through 6, inclusive, Block 171B, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington; and Lots 2, 3, 6, 7, 10, and 11, Block 32, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington; and that portion of Elliott Avenue, as vacated by City of Seattle Ordinance Number 9123, lying northwesterly of the extension of the southeasterly margin of Blanchard Street and southeasterly of a line lying 120 feet northwesterly of and parallel with the extension of the northwesterly margin of Blanchard Street; and that portion of Block 33, Addition to the Town of Seattle as laid out by A.A. Denny (commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof, recorded in Volume 1 of Plats, Page 99, in King County, Washington, lying southwesterly of the southwesterly margin of Elliott Avenue, as condemned by the City of Seattle, under Ordinance Number 12502 and as conveyed by Deed recorded under Recording Number 673412; except any portion thereof condemned for the widening of Armory Way (now known as Alaskan Freeway) by the City of Seattle under Ordinance Number 77749; and those portions of Blanchard Street, Bell Street and Elliott Avenue, as delineated in said plats which attach thereto and attach to Block 34 of said plat of A.A. Denny's Sixth Addition to the City of Seattle by operation of law upon the vacation thereof; except those portions lying southwesterly of a line concentric and/or parallel with and 15.0 feet northeasterly from the centerline of Burlington Northern Railroad Company's (formerly Great Northern Railway Company) most northeasterly track, and lying northeasterly of a line concentric and/or parallel with and 15.0 feet southwesterly from the centerline of Burlington Northern Railroad Company's (formerly Great Northern Railway Company) most southwesterly track, which pass through said blocks, streets and avenues;

Together with an air rights easement of record granted to The Port of Seattle by the Burlington Northern Railroad Company over the Burlington Northern railroad tracks; and

Subject to a railroad easement of record granted to Burlington Northern Railroad Company by The Port of Seattle.

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PARCEL BETWEEN BLANCHARD AND LENORA STREETS

Lots 1 through 6, inclusive, Block 172A, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with Lots 2, 3, 6, 7, 10, and 11, Block 31, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington (Not including any portion of vacated Elliott Avenue adjoining Block 31).

PARCEL BETWEEN LENORA AND VIRGINIA STREETS

Lots 1 through 6, inclusive, Block 172B, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with Lots 2, 3, 6, 7, 10, and 11, Block 30, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington (Not including any portion of vacated Elliott Avenue adjoining Block 30).

PARCEL BETWEEN VIRGINIA AND PINE STREETS

Lots 1 through 6, inclusive, Block 173A, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with Lots 2, 3, 6, 7, 10, and 11, Block 29, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington;

EXCEPT that portion of Lot 6, of said Block 173A, and Lots 10 and 11 of said Block 29 condemned for street purposes in King County Superior Court Cause No. 3997727.

PARCEL SOUTH OF PINE STREET

That portion of Lot 1, Block 173B, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington, described as follows:

Beginning at the most Westerly corner of said Lot 1;
thence North 58°14'50" East along Northwesterly line of said lot,
a distance of 65.29 feet;
thence South 49°02'10" East 46.06 feet to the true point of
beginning;
thence South 40°57'50" West 45 feet;
thence North 49°02'10" West 40 feet;
thence South 40°57'50" West 17.53 feet to a point on the
Southwesterly line of said Lot 1;
thence North 48°49'51" West 25.52 feet to said Westerly corner of
said Lot 1;
thence North 58°14'50" East 90.62 feet to a point on the
Southwesterly line of a tract of land condemned in King County
Superior Court Cause No. 397727, under Ordinance No. 77749 of the
City of Seattle;
thence Southeasterly along said line, to a point which bears,
North 40°57'50" East from the point of beginning;
thence south 40°57'50" west to the true point of beginning.

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EXHIBIT B

LEGAL DESCRIPTIONS OF STREET VACATION AREAS

BELL STREET

That portion of Bell Street lying between Lot 1, Block 171B and Lot 6, Block 171A, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with that portion of Bell Street lying between Lot 2, Block 32, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington, and Lot 12, Block 30, Bell & Denny's 1st Addition, according to the plat thereof recorded in Volume 1 of Plats, Page 61, in King County, Washington.

ELLIOTT AVENUE

That portion of Elliott Avenue, as originally platted, lying southerly of a line produced southeasterly from the most northerly corner of Lot 2, Block 32, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington, to the point of intersection with the most northwesterly corner of that portion of Block 33 of said addition which lies southwesterly of Elliott Avenue, as condemned by the City of Seattle Ordinance Number 12502, and lying northwesterly of the portion thereof vacated by the City of Seattle under Ordinance Number 9123.

ALASKAN WAY

The eastern 31 feet, more or less, of Alaskan Way in the City of Seattle, King County, Washington bounded on the north by the north margin of Bell Street and on the south by a line drawn perpendicularly to the east margin of said Alaskan Way distant 25.46 feet south from the south margin of Pine Street. Intersections of Bell Street, Blanchard Street, Lenora Street, Virginia Street, and Pine Street are inclusive.

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BLANCHARD STREET

That portion of Blanchard Street lying between Lot 1, Block 172A and Lot 6, Block 171B, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public lands in Olympia, Washington;

Together with that portion of Blanchard Street lying between Lot 2, Block 31 and Lot 11, Block 32, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

LENORA STREET

That portion of Lenora Street lying between Lot 1, Block 172B and Lot 6, Block 172A, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with that portion of Lenora Street lying between Lot 2, Block 30 and Lot 11, Block 31, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

VIRGINIA STREET

That portion of Virginia Street lying between Lot 1, Block 173A and Lot 6, Block 172B, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with that portion of Virginia Street lying between Lot 2, Block 29 and Lot 11, Block 30, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

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PINE STREET

That portion of Pine Street lying between Lot 1, Block 173B and Lot 6, Block 173A, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with that portion of Pine Street lying between Lot 1, Block 173B, Seattle Tide Lands, and Lot 11, Block 29, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

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EXHIBIT C

CITY OF SEATTLE SEPTEMBER 1992 DESIGN GUIDELINES

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Central Waterfront Design Review Committee



Mayor's Recommended Design Guidelines for the Central Waterfront Project Street Vacations

September 1992



City of Seattle Office of Intergovernmental Relations

**Norman B. Rice, Mayor
Thomas M. Tierney, Jr., Director**

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NORMAN B. RICE, MAYOR

GEORGE BENSON, PRESIDENT, SEATTLE CITY COUNCIL
OFFICE FOR INTERGOVERNMENTAL RELATIONS, THOMAS M. TIERNEY, JR., DIRECTOR

Committee Members :

Beverly Barnett, Seattle Engineering Department
John Braden, Department of Parks & Recreation
John Chaney, Department of Housing & Human Services
Alan Clawson, Department of Parks & Recreation
Mark Clemmens, Seattle Engineering Department
John Doan, Department of Construction & Land Use
Mike Dornfeld, Seattle Engineering Department
Ben Friedman, Seattle Planning Department
Mark Hinshaw, Seattle Design Commission
Raul Hirsch, Pike Place Market Historical Commission
Larry Knutson, Seattle Engineering Department
Dennis McCarthy, Department of Construction & Land Use
Barry Reiss, Seattle City Council
Dennis Ryan, Seattle Planning Commission
John Turnbull, Pike Place Market PDA
Janeen Smith, Economic Development Team
Marcia Wagoner, Seattle Design Commission

Prepared by: Denice Johnson Hunt, AIA Senior Urban Designer
Debbie Hutman, Urban Designer

For comments contact: Denice Johnson Hunt, OIR, 306 Municipal Building, 684-0212.

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INTRODUCTION

RECOMMENDATIONS

CENTRAL WATERFRONT DESIGN REVIEW COMMITTEE

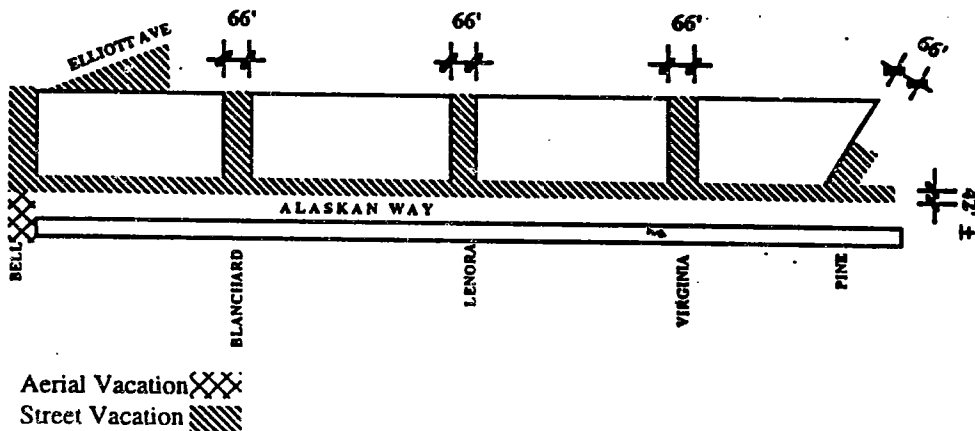
Draft preliminary recommendations for conditions regarding the vacation of Bell, Blanchard, Lenora, Virginia and Pine Streets between Elliott Avenue or the Alaskan Way viaduct and the Alaskan Way roadway, and the easternmost 42 feet of the Alaskan Way right-of-way adjacent to the Port of Seattle's upland parcels between Bell Street and north of Pike Street. In addition, the vacation of the undeveloped portion of Elliott Avenue south of Bell Street and north of Blanchard Street is requested along with the aerial vacation of a 66-foot wide portion of Alaskan Way contiguous with the portion of the Bell Street right-of-way proposed to be vacated.

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PROJECT OVERVIEW

The Port of Seattle (hereafter the Port) has requested the vacation of approximately 126,300 square feet (2.9 acres) of undeveloped right-of-way in the area shown in figure A below. The purpose of the vacation is to redevelop a 230,140 square foot area, currently in warehouse and distribution uses, for new uses which may include a hotel, an inn, housing and some office and retail uses. The Port also proposes to provide public benefits in the form of a multi-purpose trail, stairways, hillclimbs and assists connecting the downtown with the central waterfront, and a skybridge linking the project, the downtown and the Denny Regrade neighborhood to public uses on Pier 66.

Figure A-
Rights of Way
to be Vacated



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ROLE OF THIS DOCUMENT

The Central Waterfront Design Review Committee was formed at the request of the Seattle City Council, to develop guidelines or conditions for the street vacations related to the Port's Central Waterfront Project. The committee consists of representatives of the Seattle design community, including the Seattle Design Commission, the Planning Commission, the Pike Place Market Historical Commission, and representatives of several City departments. These guidelines are advisory to the Seattle City Council, which has the authority to make final decisions on street vacation requests. The draft design guidelines for the central waterfront project will be available for public review and comment. The draft will be forwarded to City Council along with public comments. This document and all amendments will be final after adoption by the City Council.

These recommendations are intended to focus on land use, transportation, and design impacts resulting from the street vacations and the overall scale of the proposed project. They do not replace any legal requirements, permits, documents, agreements, or City Council actions which would normally apply to the street vacation process. Other approvals or permit actions as required also apply. Some conditions are required to mitigate direct impacts resulting from the street vacations. Others are strongly recommended by the committee to ameliorate impacts resulting from the scale of the project. The responsibility for these recommendations shall be those of the Port and their successors and assigns.

OTHER DESIGN REVIEW OPPORTUNITIES

There will be future design review opportunities for this project. Although a Design Commission member has been a member of the Central Waterfront Design Review Committee, this process does not replace Design Commission approval as required for all skybridges and the design review process as required by the Shorelines Master Program for major public projects.

In addition, at the request of the Port, design guidelines for individual developer teams are being prepared by the architectural firms Hewitt/Isley and Jones & Jones (HIJJ). Those design guidelines reinforce many of the requirements of this document. The Shorelines Master Program also provides for a City sponsored design review process for major public projects in Shorelines Districts.



Central Waterfront Design Review Committee

SECTION 1

GENERAL CONDITIONS

The following recommendations shall apply to the entire project:

APPLICABILITY

- 1.1 These recommendations apply only to the project as proposed for the upland areas of the Port of Seattle's Central Waterfront Project as outlined in Alternative F of the Central Waterfront Project - Final Environmental Impact Statement (March 1991). Alternative F (Attachment #1), as proposed, has the potential to result in significant public benefit. While it is expected that refinements will occur as the project progresses, revisions of major program elements or major changes to design proposals, will constitute cause for revisiting these recommendations and conditions. The following components are essential to the project for which these vacations and conditions are recommended:

- A hotel facility north of Lenora Street.
- A trade center office building north of Lenora Street.
- Housing development south of Lenora Street.
- Related restaurant and retail associated with the above uses.
- A public hillclimb assist in the Lenora Street right-of-way.
- Enhanced pedestrian connections from the Denny Regrade neighborhood to waterfront activities on Pier 66.
- A multi-purpose trail and associated landscaping east of the waterfront trolley.
- Public spaces proposed by the project or required by these conditions.

Diagrams and illustrations in this document are intended to be illustrative. Alternate design solutions will be evaluated for conformance with the intent of these guidelines.

CODES & REGULATIONS

- 1.2 The project will comply with these requirements as well as all City of Seattle codes, regulations, and requirements. In the event of a conflict, the most restrictive regulations will apply.

RECOMMENDATIONS
for the Central Waterfront

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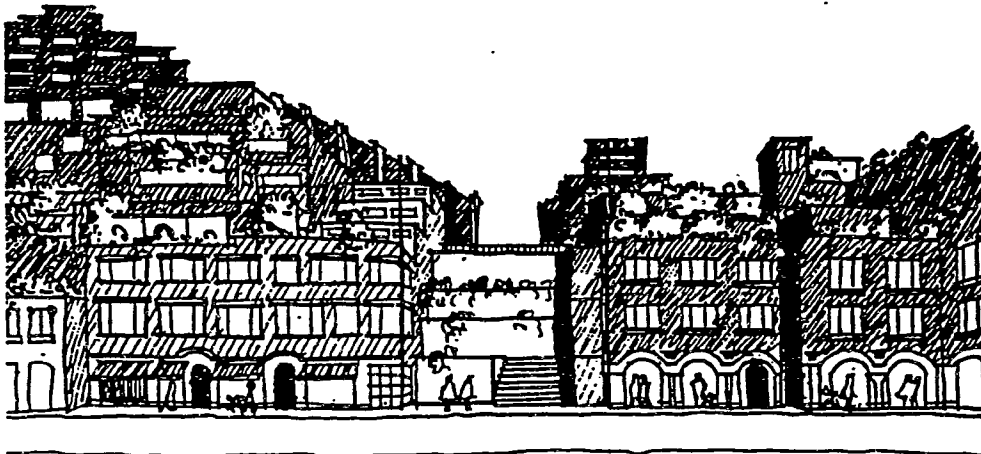
EASEMENTS

- 1.3 The Port will provide easements required for utilities, access and other purposes to the City at no cost.

PUBLIC SAFETY AND MAINTENANCE

- 1.4 Special attention shall be paid to public safety concerns in the design of all public spaces. Design according to SEPTET standards is encouraged, particularly with respect to public spaces such as hillclimbs, trails, etc. Responsibility for public safety and enforcement for the entire project shall be defined jointly by the Port and the City.
- 1.4a Lighting levels shall be appropriate to promote the safety of users on all public spaces including hillclimbs, stairways, and trails. Lighting levels shall also be adequate for safety on all access roadways and adjacent public streets.
- 1.4b The Port shall maintain all hillclimbs, overpasses, stairways, trails, public spaces, and associated elements within the project boundaries. The maintenance of landscape features and plant material associated with the project shall be the responsibility of the Port.
- 1.4c Provision shall be made for the irrigation of new landscape installations.

Figure B-
Building
Modulations/
Visual
Interest

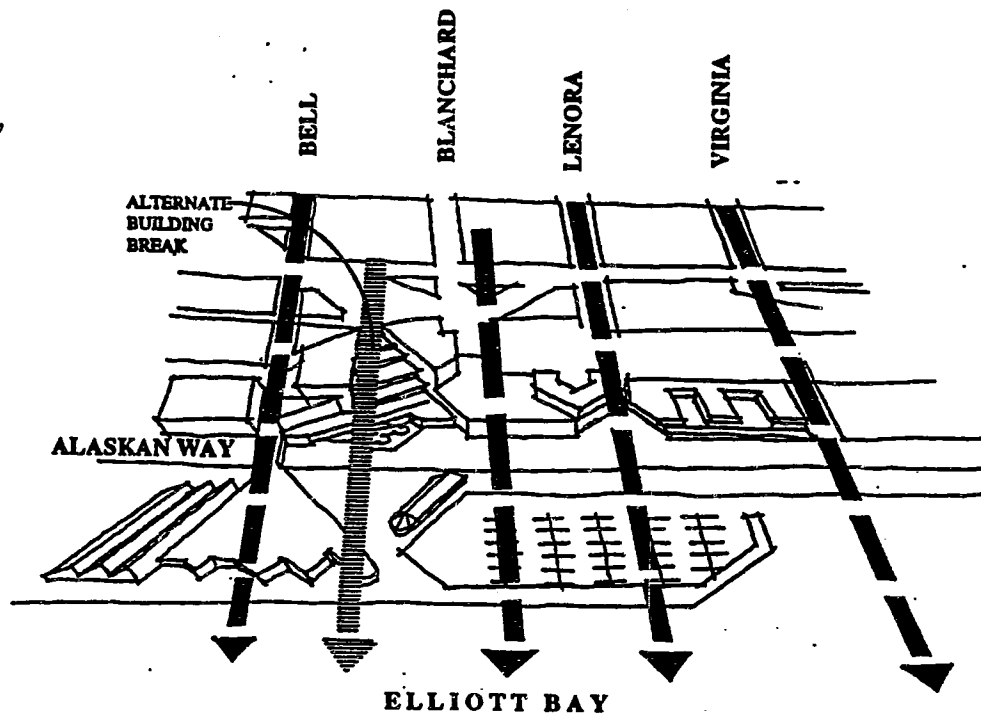


GENERAL CONDITIONS

DESIGN ELEMENTS

- 1.5 To achieve visual interest and human scale in the design of structures, special attention shall be paid to reducing the impact of large building masses in the project through the use of building modulation and variations in color and texture of materials and building height levels.

Figure C-
Modulations/
Building Breaks
Approximately
at Rights-of-Way

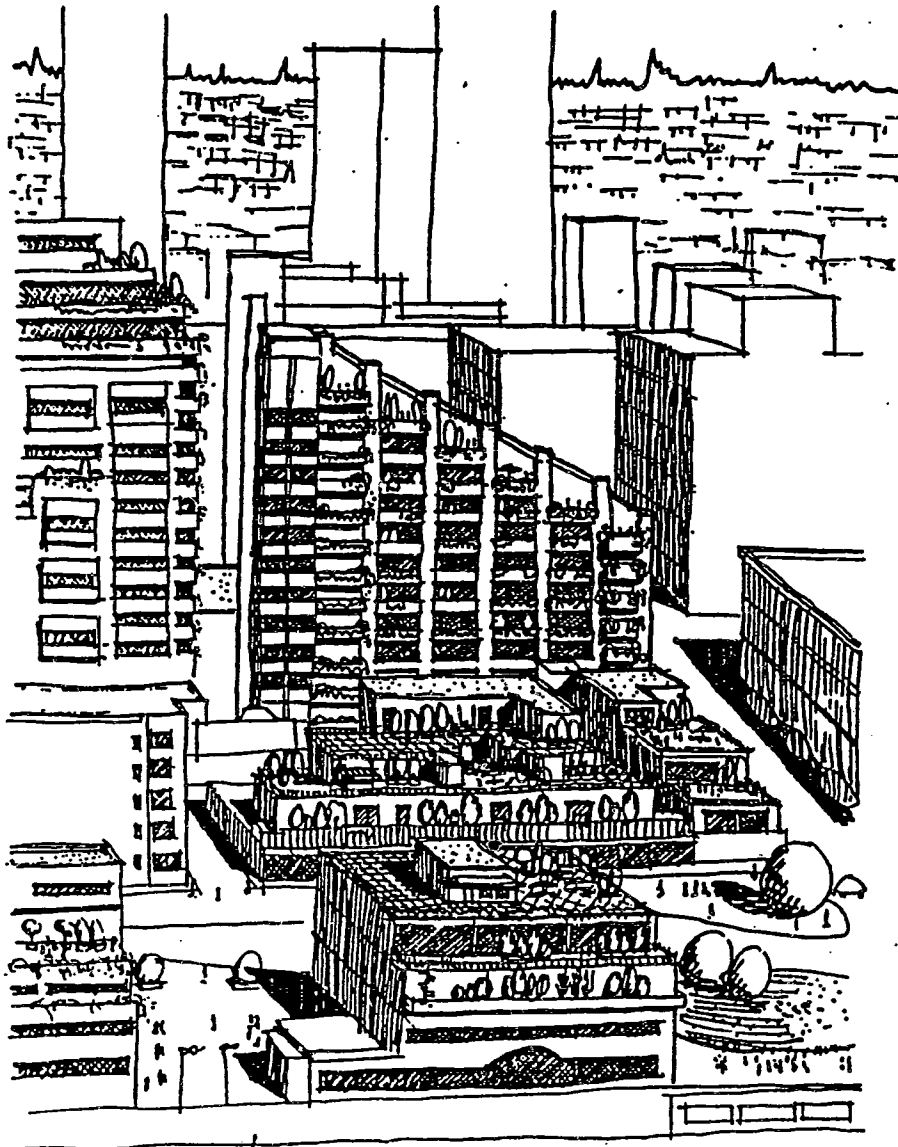


- 1.5a Because of the length of right-of-way to be vacated along Alaskan Way (1,532 ft.), building breaks shall be provided along the Alaskan Way facade of the project. Building breaks may be in the form of courtyards, setbacks or hillclimbs and shall approximate the location of the vacated rights-of-way at Blanchard, Lenora and Virginia, and Pine Streets. Building breaks shall also provide an opportunity to change materials, colors, and textures of individual structures to reduce the perceived bulk of the overall development.

RECOMMENDATIONS for the Central Waterfront

- 1.5b Rooftops shall be treated in a manner that add visual interest to their expanse, particularly as viewed from the Pike Place Market, Steinbrueck Park and other public areas. This may be achieved by organizing the roof forms and rooftop elements in an aesthetically pleasing manner. Extensive use of landscape materials and the provision of uses such as roof decks and patios is encouraged.

Figure D-
Rooftops from
Above



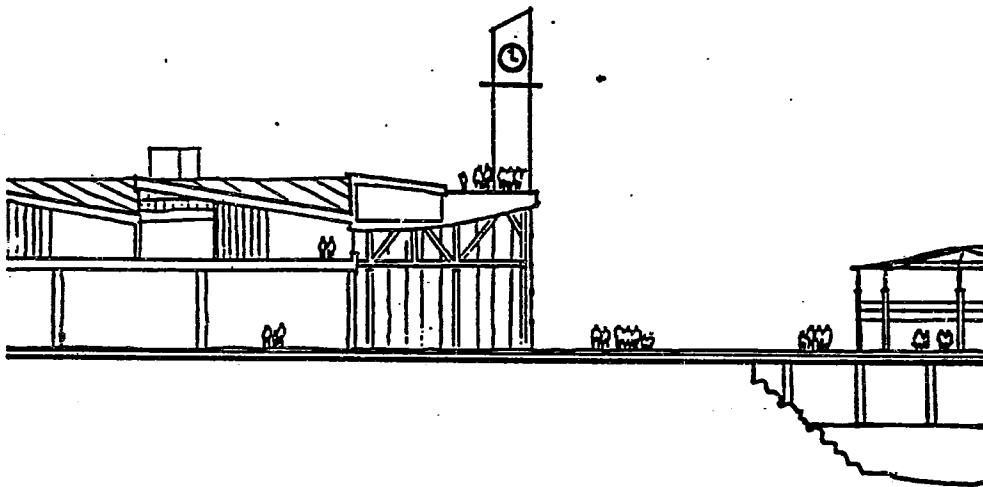
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GENERAL CONDITIONS

- 1.5c In order to enliven public spaces within the project, and to protect the safety of users, signage shall be provided on all hillclimbs, stairways, trails and public spaces and shall be adequate to encourage their use by the general public.
- 1.5d Special attention shall be paid to the design of elements that separate public and private spaces within the project. Consideration shall be given to changes of materials or other design elements in order to clearly denote separation between public spaces and private spaces. The design of all public spaces shall be of high quality and similar materials.
- 1.5e The Port is encouraged to provide a clock tower, reminiscent of earlier clock towers on the central waterfront. Potential locations for the clock tower include the moorage facility, or combined with stair towers or mechanical penthouses on Pier 66.

Figure E-
Recommended
Clock Tower



- 1.5f The transparency requirements of the Land Use Code for Downtown Harborfront 2 (DH2) shall apply to residential, as well as commercial portions of the project.

RECOMMENDATIONS
for the Central Waterfront

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Central Waterfront Design Review Committee

SECTION 2

ALASKAN WAY

PROPOSAL:

Vacate approximately 42 feet of the easternmost portion of undeveloped former Burlington Northern Railroad right of way, from the northern margin of Bell Street to south of Pine Street (approximately 1,532 ft. long), to achieve buildable lots and to provide vehicular access and amenities for the proposed project, as well as public amenities along the central waterfront.

ALASKAN WAY RECOMMENDATIONS

Alaskan Way is a roadway that defines the meeting place of land and sea along the central waterfront. It is the major truck access into the city and plays an open space role recognized in both the Downtown Plan and the Harborfront Plan. It is also the only north/south corridor for oversize vehicles in the City. In 1987, the City acquired the Burlington Northern Railroad franchise for the dual purpose of removing trains from the central waterfront and for additional open space. Since then, it has been general City policy to commit excess Alaskan Way right-of-way, not needed for transportation purposes, to open space and public purposes wherever feasible.

The issues associated with the vacation of Alaskan Way are necessarily complex. They concern the role of the street as an open space corridor; connections to the City's own trail system to the south; adequate pedestrian and vehicular access to and from adjacent parcels, as well as the impacts of building bulk due to the vacation of the right-of-way. In addition, the committee recognizes that the Port's project is in design and that many details have not yet been completed. The conditions to the Alaskan Way vacation are therefore intended to identify transportation and open space requirements, and to identify areas where additional information will be required. The conditions below are intended to apply in addition to conditions or requirements of the City/Port Memorandum of Understanding dated 12/27/89.

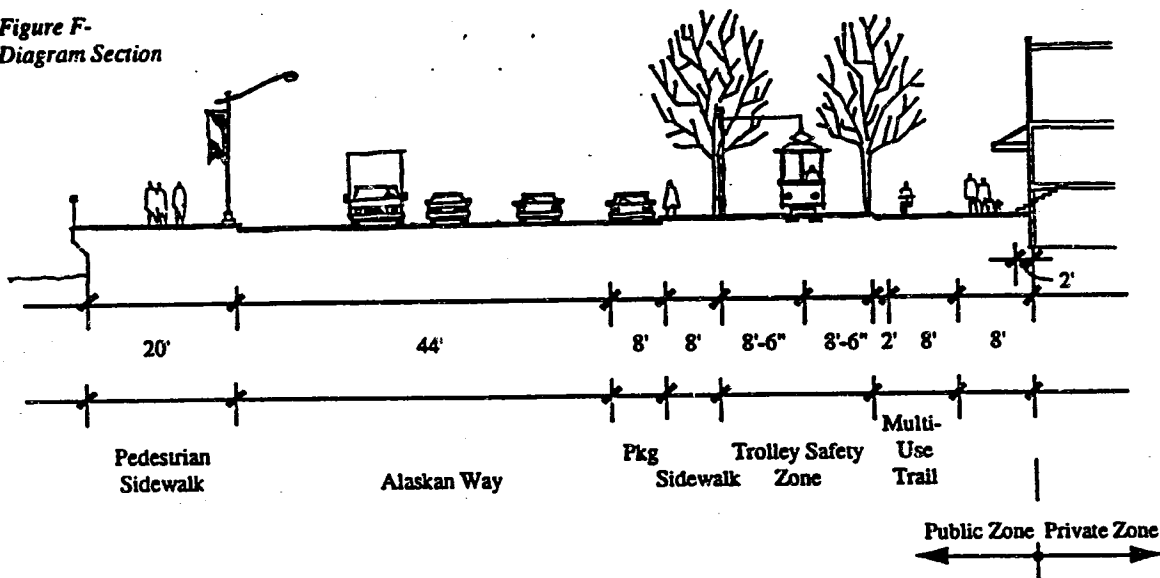
The following conditions shall apply to the proposed vacation of Alaskan Way :

RECOMMENDATIONS
for the Central Waterfront

LINEAR OPEN SPACE ELEMENTS

- 2.0 All linear open space elements, e.g. the multi-purpose trail, the tree planting zone, sidewalks, and related improvements such as the trolley safety zone proposed for vacated portions of Alaskan Way shall be continuous from Wall Street to the Pike Street hillclimb. Dimensions shown on the section below are the required dimensions for the elements shown.

Figure F-
Diagram Section



THE TROLLEY SAFETY ZONE

- 2.1 The trolley safety zone is defined as that area within and on either side of the trolley tracks where pedestrian traffic should be controlled. A safety zone no less than 8' 6" from the centerline of the trolley shall be established on both sides of the waterfront trolley tracks. Paving materials, shrubs, benches, plantings, fences, grilles and other barrier devices may be provided within this zone to increase pedestrian safety. Given the urban character of the central waterfront, paving materials are the preferred materials for the trolley safety zone. Paving between the trolley tracks, similar to other urban streetcar systems, is desirable. To reduce safety problems for pedestrians in the trolley safety zone, a change in the color of paving materials and/or low bollards separating the trolley safety zone and adjacent zones is recommended.

Design improvements within the trolley safety zone require the approval of Metro.



Central Waterfront Design Review Committee

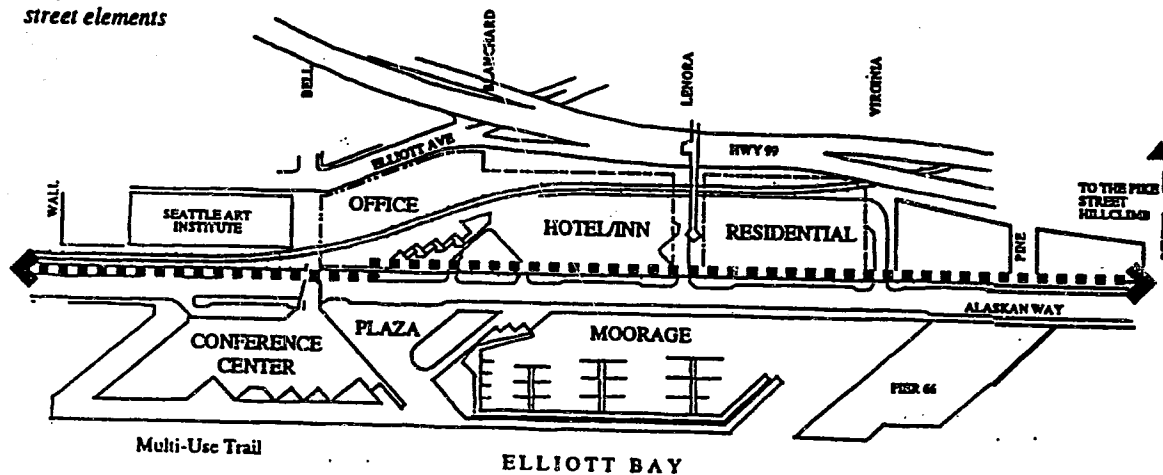
ALASKAN WAY

- 2.1a Power poles for the waterfront trolley may be relocated to the east side of the trolley safety zone as necessary to accommodate other design features. If possible, trees shall be in alignment with the trolley poles.

TRAIL ELEMENTS

- 2.2 Consistent with the Port/City agreement of December 27, 1989 (Attachment #2), the Port shall provide an eight-foot wide public trail along the eastern margin of the waterfront trolley safety zone. The new multi-purpose trail shall be located in a north/south alignment along the entire central waterfront project from Wall Street to the Pike Street hillclimb.

Figure G-
Diagram Alaskan
Way trail and
street elements

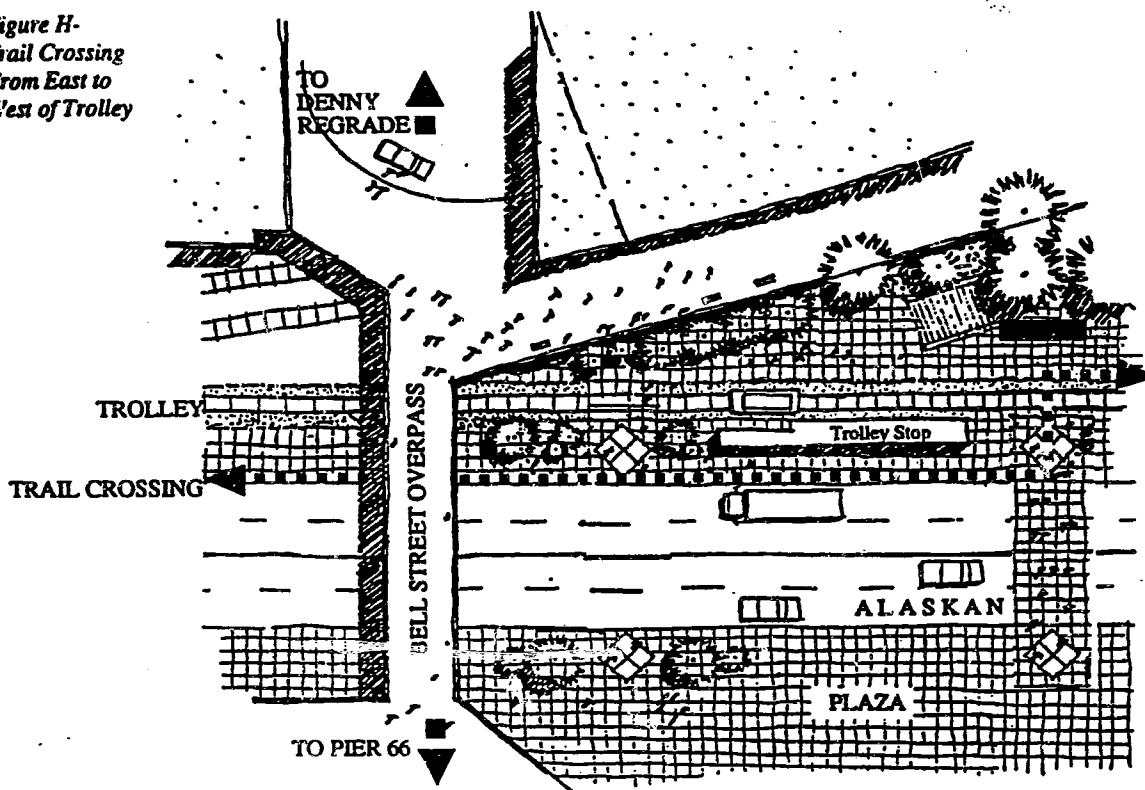


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- 2.2a Provisions shall be made within the project for the trail to cross from the east of the trolley to the west of the trolley between Bell and Blanchard Streets.

Figure H-
Trail Crossing
From East to
West of Trolley



- 2.2b Trail materials shall be durable, of high quality, and consistent with paving materials in other public spaces in the project. Changes in materials between zones such as the trail, the tree planting zone, and the access roadway shall be considered. A change in color or of materials separating the multi-purpose trail from the adjacent sidewalk shall be considered.

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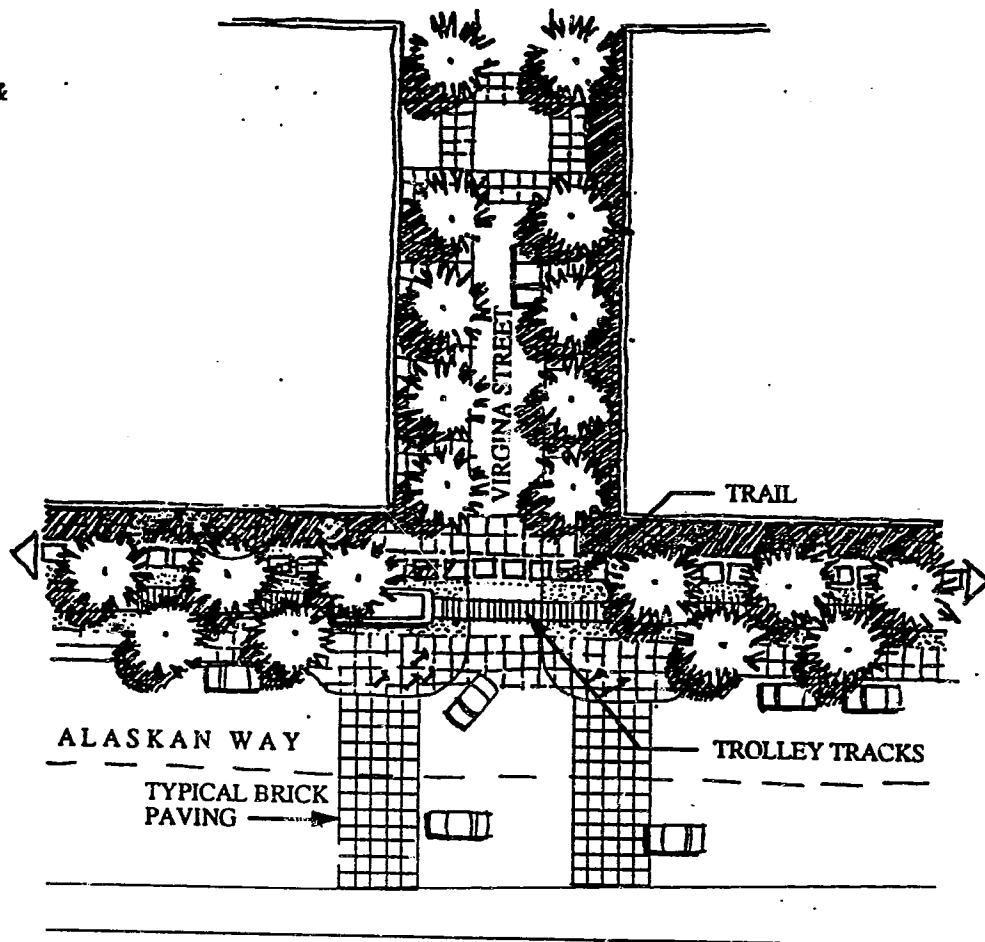


ALASKAN WAY

TREES / PLANTING ZONES

- 2.3 In the event a roadway is located adjacent to the multi-purpose trail, a five-foot wide planting zone shall be provided between the trail and the roadway to protect trail users from vehicular and pedestrian traffic on the adjacent development.

Figure 1-
Typical Tree
Planting
Arrangement &
Intersection



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- 2.3a To provide a major visual element of large-scale landscaping along this four-block long project, a continuous double row of same-specie trees shall be provided along the entire project frontage on Alaskan Way. The following areas may be considered as locations for the continuous double row of trees:

- The planting zone on the eastern side of the multi-purpose trail.
- the area within the trolley safety zone, subject to Metro approval.
- The east sidewalk of Alaskan Way.

The double-row, same-specie trees must run in continuous alignment from Bell Street southward to the Pike Street hillclimb. At the Port's discretion, the double row of trees may be increased to three or more rows at selected locations. The overall design, location, tree-spacing, and tree specie shall be subject to the approval of the City arborist.

- 2.3b To enhance views of the short-stay moorage, there shall be no trees on the western sidewalk of Alaskan Way from Bell Street to Piers 62/63. Provision for landscape features, such as hanging baskets or planters on the west Alaskan Way sidewalk is recommended.
- 2.3c Consistent with Seattle Engineering Department's improvements on Alaskan Way, automatic irrigation systems to serve all new landscape features shall be installed.

ACCESS ROADWAYS / SIDEWALKS

- 2.4 Access roadways and sidewalks shall meet all the requirements of the zone and shall be adequate to handle pedestrian and vehicular traffic of adjacent uses.
- 2.4a The sidewalk between the multi-purpose trail and the buildings shall be no less than 8' 0" feet wide.
- 2.4b At the Port's discretion, special design elements, e.g. bollards, changes in paving materials or low hedges, may be considered to enhance privacy of the adjacent residential uses.



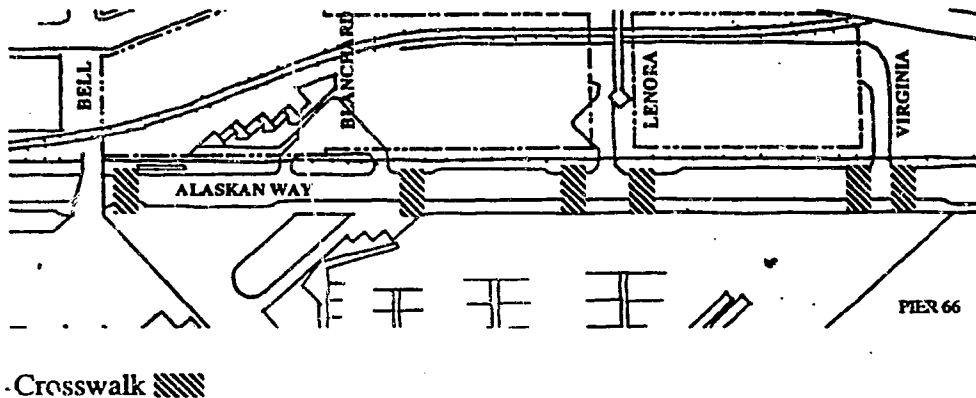
ALASKAN WAY

- 2.4c. The Port shall provide adequate pedestrian access, loading, vehicular access, bus waiting and taxi drop-off and queuing for the hotel and inn facilities. Access roadways, sidewalks, etc. must meet the Seattle Engineering requirements.
- 2.4d. Additional light standards on Alaskan Way sidewalks shall be similar to those currently in place on Alaskan Way.
- 2.4e. Roadway improvements in Alaskan Way shall be designed to maximize on street parking on the east side of Alaskan Way. Taxi queuing and bus loading areas for hotel uses shall not be allowed on the eastern side of Alaskan Way.

CROSSWALKS/INTERSECTIONS

- 2.5 Crosswalks and intersections shall be required to facilitate pedestrian traffic between the east and west sides of Alaskan Way. Crosswalks shall approximate the intersections of Alaskan Way and Bell, Blanchard, Lenora, Virginia, and Pine Streets. However, flexibility in crosswalk location should be provided to facilitate connections between destinations. The distance between crosswalks should not be significantly greater than the average distance between the vacated east/west streets (360 ft). The surface treatment of the crosswalks shall be similar to the Pike Street/Alaskan Way pedestrian crosswalk.
- 2.5a Intersections along Alaskan Way shall be perpendicular to the roadway.

Figure J-
Typical Cross-
walk Locations



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RECOMMENDATIONS for the Central Waterfront

OTHER DESIGN FEATURES

- 2.6 Residential access stairways may intrude 2' 0" from the face of the building line unto the adjacent residential sidewalk.
- 2.6a Service retail uses are encouraged at the street level and lower level along Alaskan Way.
- 2.6b Wherever possible, weather protection devices, e.g. marquees, overhangs, and arcades are desirable along the Alaskan Way facade of buildings.

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Central Waterfront Design Review Committee

SECTION 3

BELL STREET

PROPOSAL:

- i) Vacate the Bell Street right-of-way west of Elliott Avenue to allow structures including retail uses, as well as pedestrian connections between Pier 66, the Seattle Art Institute Garage, and upland portions of the project.
- ii) Vacate a 66-foot wide aerial portion of Alaskan Way abutting the Bell Street right-of-way to allow an overpass linking upland portions of the project and the Denny Regrade neighborhood with waterside activities on Pier 66.

BELL STREET RECOMMENDATIONS

The Downtown Plan identifies Bell Street as a view corridor, from Denny Way to First Avenue. The Plan also designates portions of Bell Street, east of Western Avenue as a street park. Some street park improvements have been built. The proposal allows a pedestrian connection to be completed along the entire length of Bell Street terminating in a waterfront viewpoint on the upper level of Pier 66 with connections to street level.

There are also negative impacts associated with the proposal. The size of the proposed overpass would shadow a portion of Alaskan Way, blocking views of the downtown from Alaskan Way and having negative impacts on the pedestrian environment at street level. Moreover, Alaskan Way is the only north-south route which can handle oversize loads in the city. Its transportation function should not be reduced.

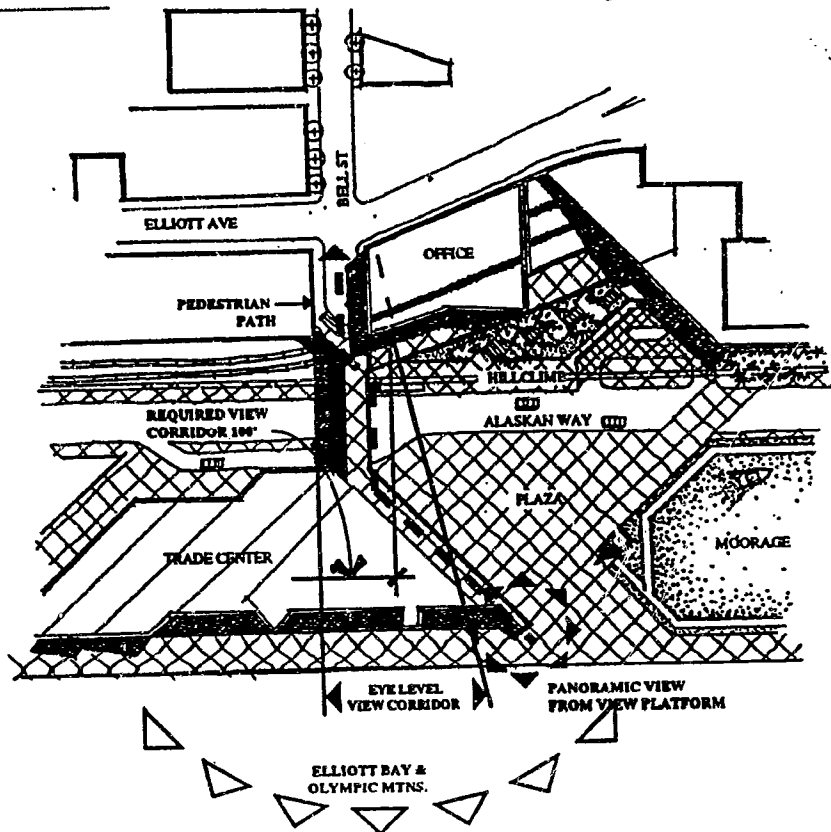
The committee recognized both the opportunities for pedestrian connections and public amenities and the potential conflicts with transportation issues and the shadow impacts. However, the overall consensus was that the degree of public amenity provided by the pedestrian overpass was significant, and that impacts could be mitigated through conditions.

The committee recommends denial of the request to vacate the aerial portion of Alaskan Way, but recommends approval of a term permit for a skybridge over Alaskan Way in order to link residents in the Denny Regrade neighborhood to activities on Pier 66.

RECOMMENDATIONS
for the Central Waterfront

The following conditions shall apply to both the vacation of the Bell Street right-of-way and the proposed skybridge structure:

Figure K-
Bell St. Views



VIEW CORRIDOR

- 3.1 A 66-foot wide view corridor shall be maintained from Elliott Avenue to the eastern margin of the railroad right-of-way.

A 100-foot wide view corridor shall be maintained at the Elliott Street elevation (elevation 55' 0" +/-) along the Bell Street corridor from the eastern margin of the railroad right-of-way to the outer harbor line. No buildings shall intrude into this corridor. The Bell Street view corridor shall terminate in a waterfront open space or view platform on the roof of Pier 66, 45 feet above the plaza level.

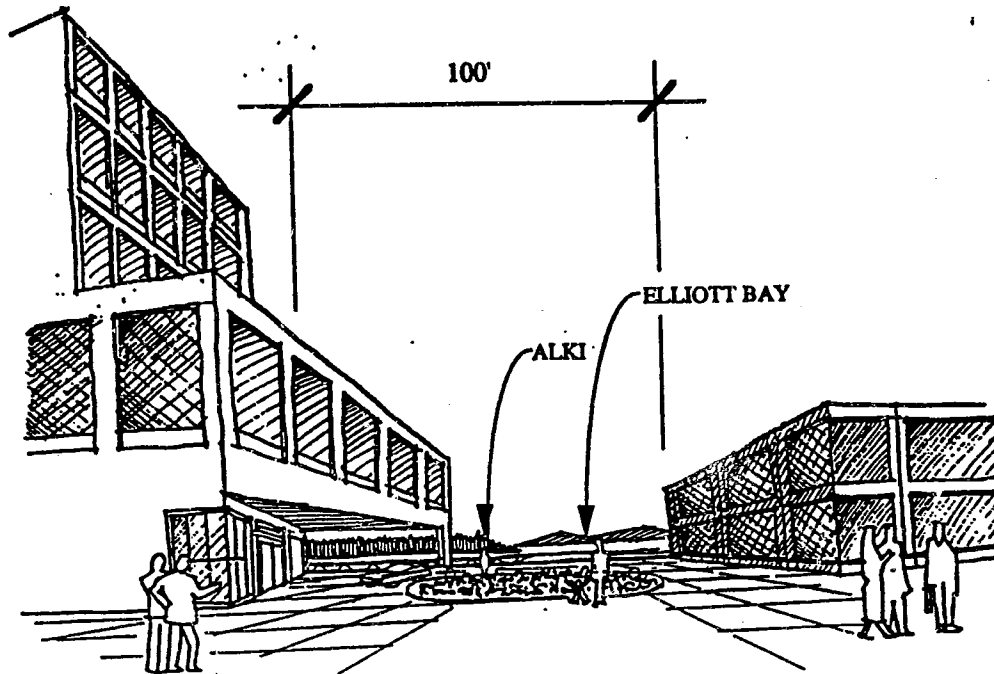


Central Waterfront Design Review Committee

BELL STREET

- 3.1a Elements in the Bell Street view corridor shall comply with Shorelines regulations for elements in view corridors. The Port is encouraged to provide a clock tower in conjunction with the public open space or view platform on Pier 66. Ideally, the clock tower would be located on a stair or mechanical tower. No less than 50% of the exterior materials of stair and mechanical towers shall consist of transparent materials.

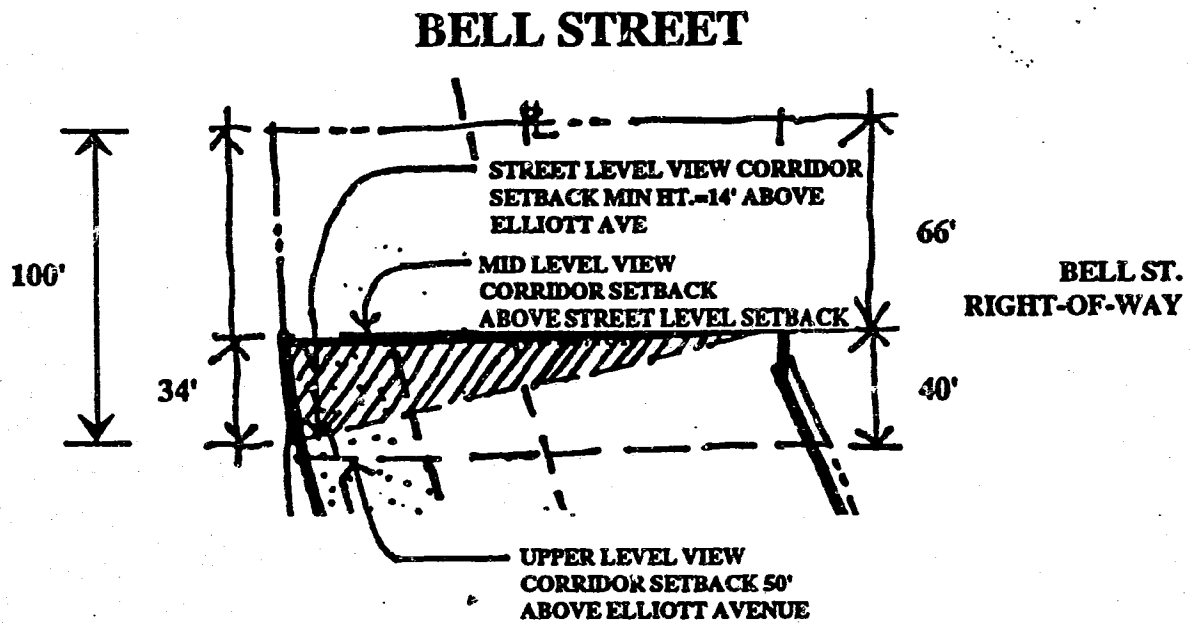
Figure L-
View Corridor
Over Pier 66



RECOMMENDATIONS for the Central Waterfront

- 3.1b All structures adjacent to the Bell Street corridor shall conform to the view corridor stepback requirements of the Land Use Code.

Figure M-
Bell Street
Setbacks



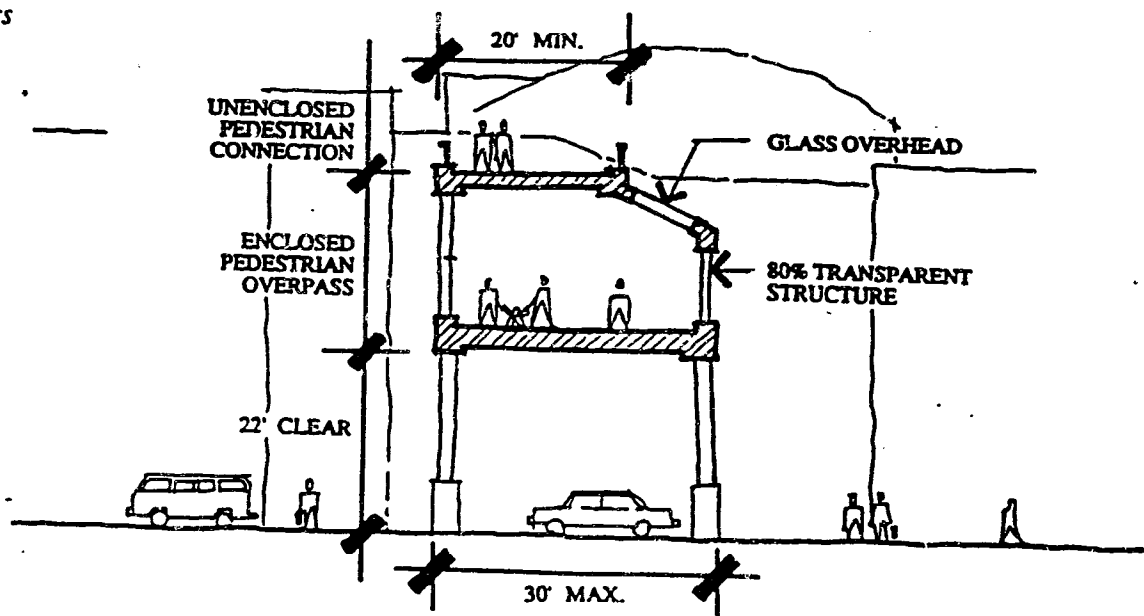
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OVERPASS

- 3.2 An overpass may be allowed in the Bell Street corridor. If a skybridge is built, the upper level of the skybridge shall provide a pedestrian view route from the Denny Regrade to waterside activities on Pier 66. All skybridge/overpass structures require City Council approval.
- 3.2a Signage and pedestrian amenities shall be provided to encourage visitors to use this route from the Denny Regrade and the downtown to the waterfront. The pedestrian walkway shall be no less than 20 feet wide.
- 3.2b The overpass at Bell Street shall consist of no more than two levels; one enclosed story and, an upper unenclosed story at the Elliott Street level. A greenhouse or conservatory type roof shall be utilized over all enclosed portions of the skybridge not used as a walkway.
- 3.2c To limit the impact of shadows on Alaskan Way, the enclosed portion of the overpass shall be no wider than 30 feet and shall contain no permanent uses.
- 3.2d The enclosed story of the skybridge shall be at least 80% transparent from floor plate to floor plate.

Figure N-
Section of
Bell St. Overpass



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PROPOSAL:

Vacate the undeveloped Elliott Avenue right-of-way and consolidate right-of-way with adjacent Burlington-Northern land in order to construct a trade center office building 85 feet above Elliott Avenue.

ELLIOTT AVENUE RECOMMENDATIONS:

Vacate the right-of-way as requested. Conditions related to this vacation request are included in the requirements for the vacation of the Bell Street right-of-way.

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Central Waterfront Design Review Committee

SECTION 5

BLANCHARD STREET

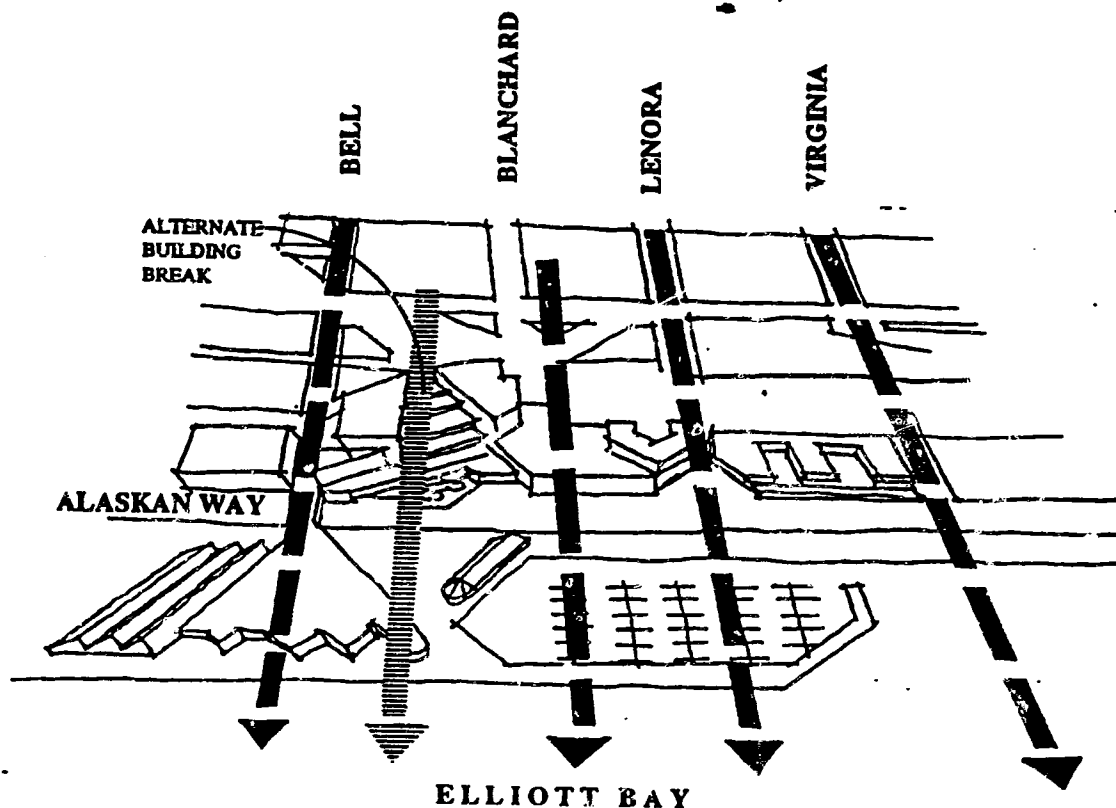
PROPOSAL:

Vacate existing undeveloped Blanchard Street right-of-way west of Elliott Avenue in order to construct a trade center office building and a related hotel structure.

BLANCHARD STREET RECOMMENDATIONS

The convergence of Blanchard Street, the Alaskan Way viaduct on-ramps and the bluff east of Elliott Street limit the view and transportation value of the Blanchard Street right-of-way west of Elliott Avenue. However, the platted right-of-way adds interest to the skyline of the city by limiting the bulk of buildings to the width of the platted blocks. The Committee recommends the vacation of the Blanchard Street right-of-way as requested. Conditions related to the vacation of Blanchard Street are included in the conditions for Alaskan Way and in the general conditions.

Figure O-
Building breaks
at rights-of-way



RECOMMENDATIONS
for the Central Waterfront

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Central Waterfront Design Review Committee

PROPOSAL:

Vacate the Lenora Street right-of-way and provide a public hillclimb/stairway linking the central waterfront with Western Avenue and the Pike Place Market.

LENORA STREET RECOMMENDATIONS

Lenora Street was once a vehicular link between downtown and the central waterfront via a bridge over Alaskan Way to the upper level of Pier 64/65. Both the Downtown Plan and the Harborfront Public Improvement Plan recommend Lenora Street be redeveloped as a pedestrian connection between downtown and the central waterfront. Originally, this route was intended as the major connection between the project and the downtown. However, since the Downtown Plan and the Harborfront Plan were adopted, significant residential development has occurred in the Denny Regrade, and the Bell Street corridor has increased in importance as a pedestrian connection.

Given the public commitment to a moorage basin in the open water area adjacent to Lenora Street, it is important that the new pedestrian corridor be designed to emphasize its role as a connector linking public uses on the central waterfront and downtown.

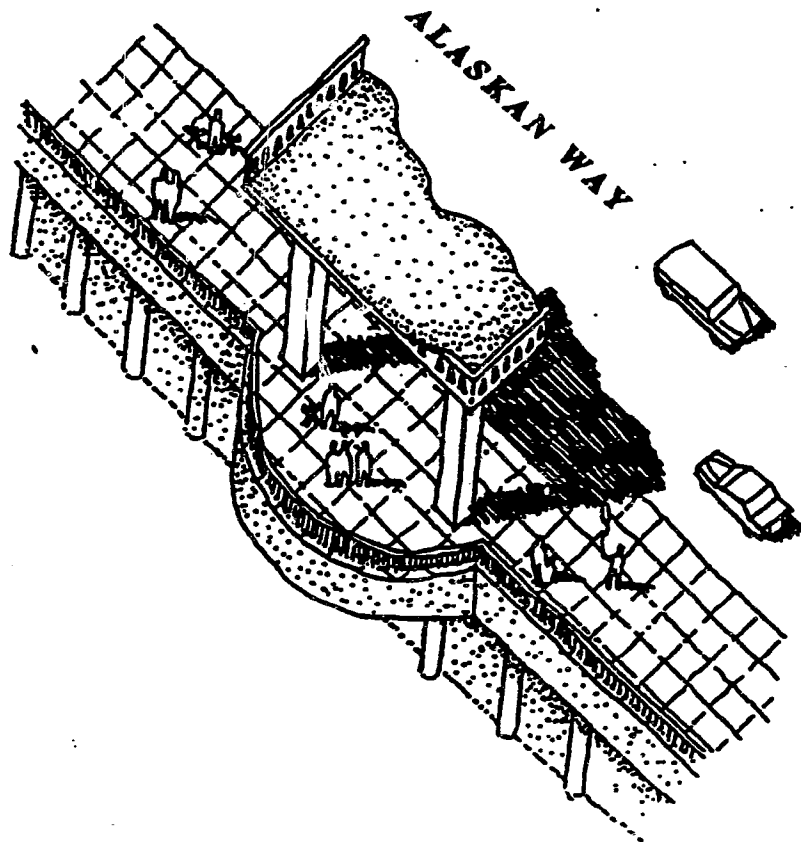
Vacate the requested area of Lenora Street subject to the following conditions:

EXISTING OVERPASS

- 6.1 The Mayor's Recommended Harborfront Plan (1988) recommends the renovation of the existing Lenora Street overpass. Retention of the existing Lenora Street overpass is encouraged. If the overpass is demolished, the Port is encouraged to provide some means of recalling the former structure.

**Figure P-
Lenora Street
Overpass Recall**

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PEDESTRIAN CORRIDOR/HILLCLIMB ASSIST

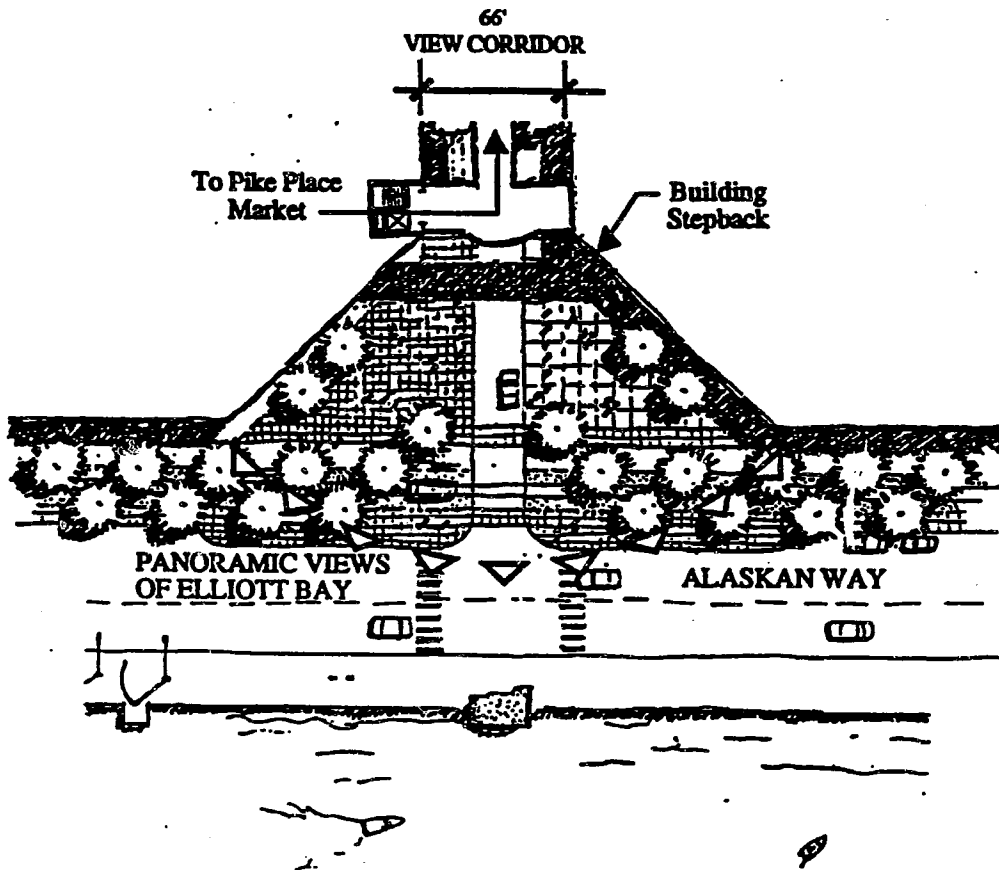
- 6.2** The Port shall provide a stair or a hillclimb assist consisting of a bridge/stair and elevator combination from the hillside above to the waterfront to replace the overpass if it is removed.
- 6.2a** A 66-foot wide public pedestrian access and view corridor shall be maintained through the project along the Lenora Street corridor. The main function of the corridor shall be to serve as a public pedestrian connection between the public uses on the waterfront, the Pike Place Market and downtown. Connections to existing pedestrian and circulation paths shall be designed in conjunction with the Seattle Engineering Department and Pike Place Market Preservation and Development Authority.



LENORA STREET

- 6.2b. The hillclimb assist shall be designed to emphasize its public nature. Panoramic views of Elliott Bay, comparable to those provided by the existing Lenora overpass, shall be available from the structure. Sight lines of structures adjacent to the Lenora Street corridor shall allow panoramic views of Elliott Bay from the new hillclimb assist.

Figure Q-
Lenora Street
Corridor

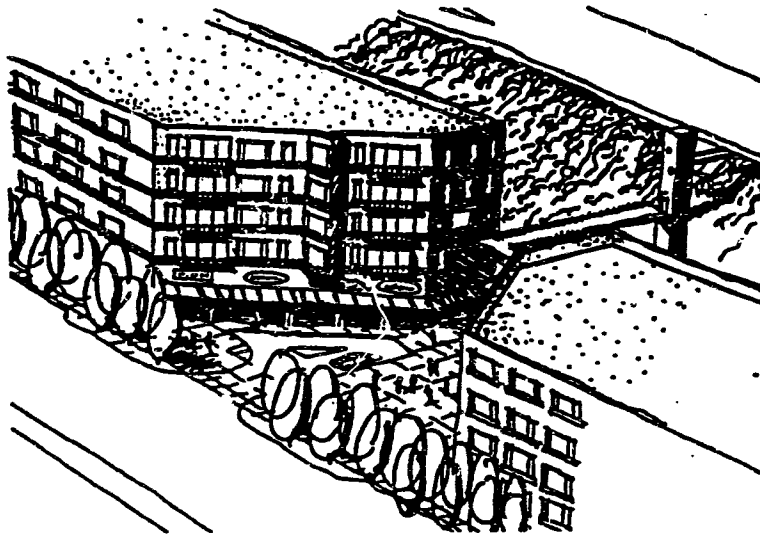


- 6.2c. A view platform which affords panoramic views of Elliott Bay shall be provided at a height similar to or greater than the existing Lenora Street overpass. The view platform may be part of the Lenora Street hillclimb assist and shall maintain a 90 degree view corridor. The public nature of this view platform shall be emphasized. The view platform shall be conveniently accessible and visible from the main path of pedestrian travel on the bridge/stair. Ideally, the platform should be a part of the path of pedestrian travel. The view platform shall be clearly visible as a public amenity from along the central waterfront and it shall be accessible by both stair and elevator.

RECOMMENDATIONS for the Central Waterfront

- 6.2d** To encourage maximum activity along the new Lenora Street pedestrian corridor, the location of retail and public uses at grade along the hillclimb assist is encouraged. A variety of textures, materials, colors, and building modulation is encouraged along the Lenora Street corridor.
- 6.2e** The design of the Lenora Street corridor shall be of a consistent quality with other public spaces throughout the project.

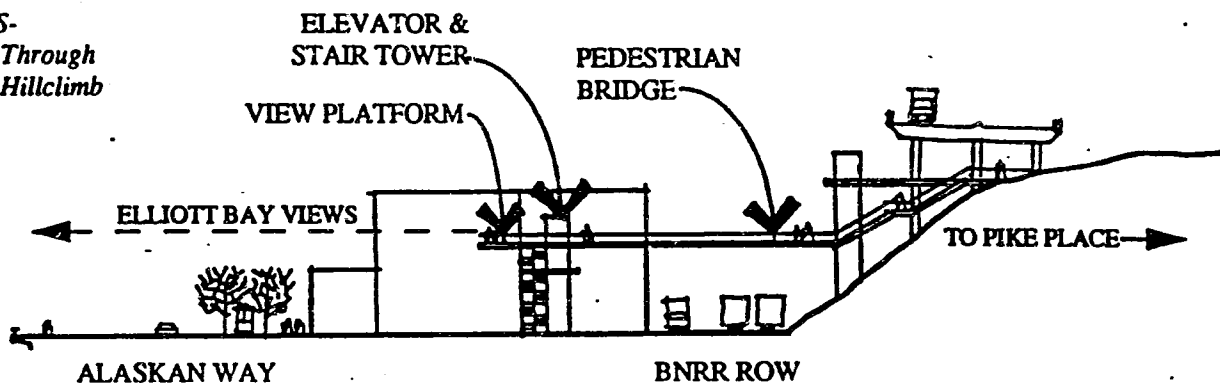
*Figure R-
Activity in the
Lenora Street
Corridor*



PUBLIC SAFETY

- 6.3** The Lenora Street hillclimb assist shall be designed to maximize opportunities for supervision of the stair from adjacent public spaces. If possible, the public elevator should be located within a public space in an adjacent building.

*Figure S-
Section Through
Lenora Hillclimb*



PROPOSAL:

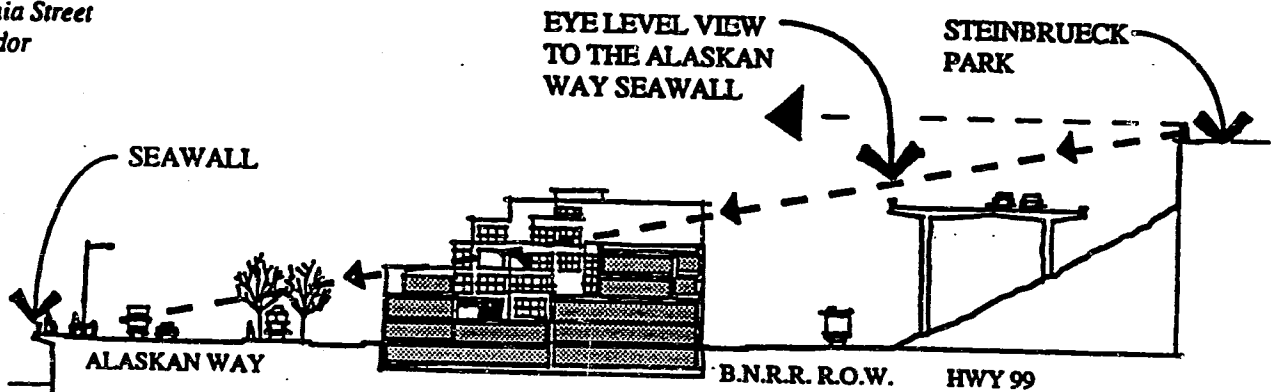
Vacate the Virginia Street right-of-way adjacent to the Port upland parcels and maintain an upper level view corridor through the proposed project.

VIRGINIA STREET RECOMMENDATIONS

Virginia Street is a major east-west transportation corridor through downtown. Virginia Street terminates at Steinbrueck Park and from this vantage expansive views of the central waterfront Elliott Bay and the Olympic Mountains are available.

Recognizing that Virginia Street west of the viaduct has no transportation value due to the topography of the area, the Committee recommends the vacation of Virginia Street. However, because the right-of-way has value for light, air, views from public places and urban form, the following conditions are recommended:

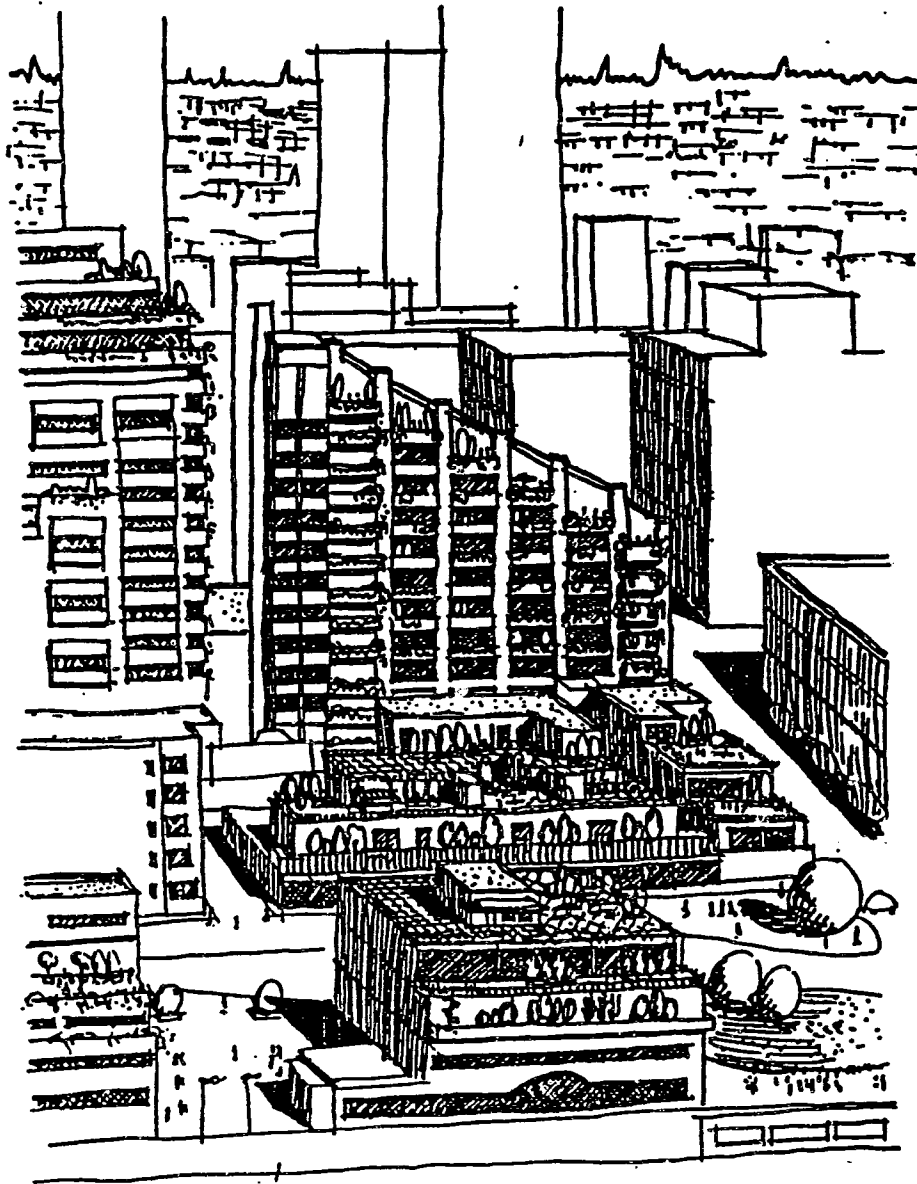
Figure T-
Views from
Steinbrueck Park
through the
Virginia Street
Corridor



- 7.1 The Port shall maintain an upper level view corridor from Steinbrueck Park to the Alaskan Way seawall. The view corridor shall be no narrower than the existing right-of-way. The view corridor shall maximize panoramic views of the proposed moorage basin, the historic seawall, Piers 62/63, and the Seattle Aquarium from Steinbrueck Park.

Figure U-
Rooftops Sketch

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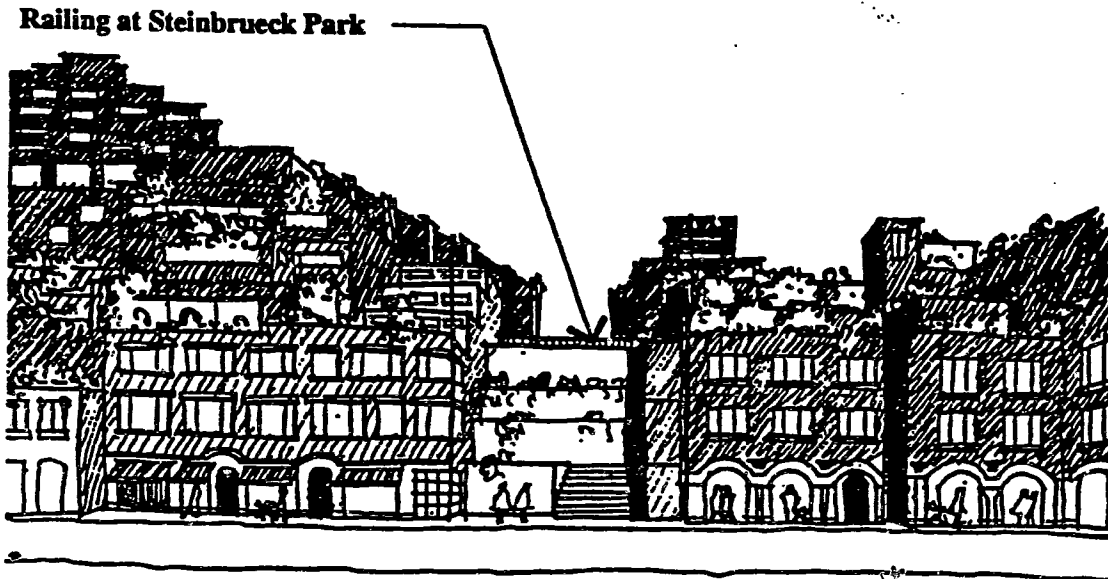


- 7.1a As viewed from above at Victor Steinbrueck Park, rooftops shall be treated in a manner that adds visual interest to their expanse. This may be achieved by organizing the roof forms and rooftop elements in an aesthetically pleasing manner. Extensive use of landscape materials and the provision of uses such as roof decks and patios is encouraged.



- 7.1b If buildings are located within the Virginia Street right-of-way, upper level setbacks to preserve views of the Alaskan Way seawall from Steinbrueck Park shall be required for all structures and rooftop elements within the right-of-way.

Figure V-
Upper Level
Setback at
Virginia St.



- 7.1c Within the view corridor, rooftop elements which are exempt from zoning height restrictions, e.g. stair towers, elevator, and mechanical penthouses shall be subject to the height restrictions of the zone.
- 7.1d Wherever possible, mechanical equipment should be enclosed within structures.

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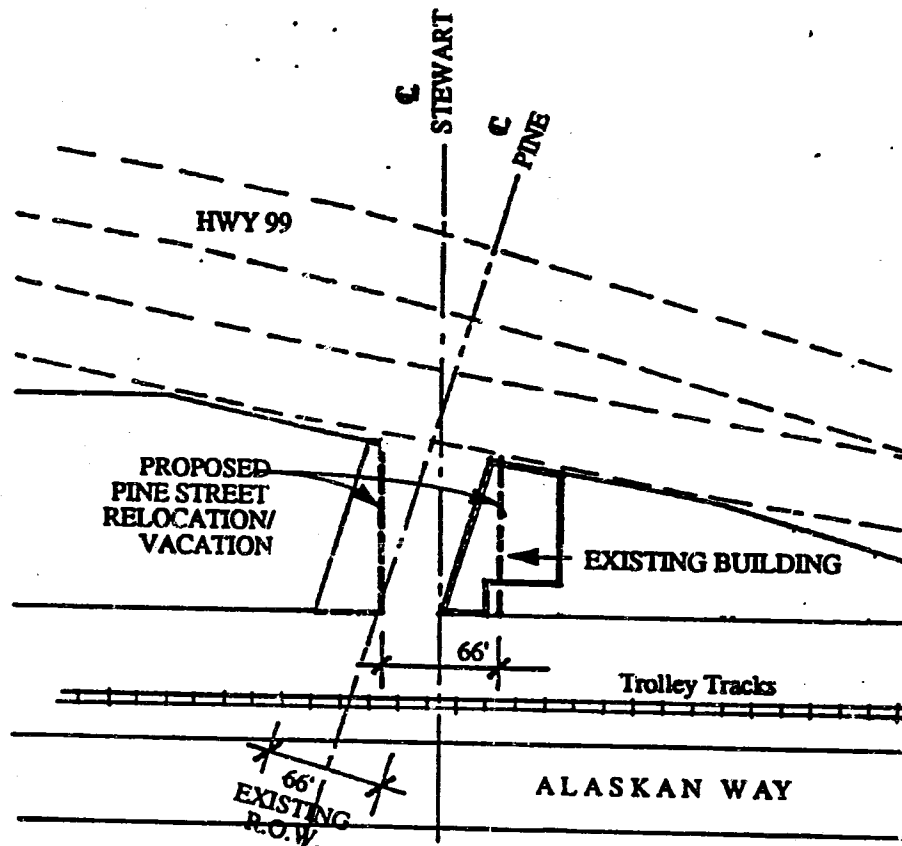
Central Waterfront Design Review Committee

PROPOSAL:

Vacate the existing Pine Street roadway and relocate it to the south as shown in the diagram below. The proponent is also considering an alternate proposal to build a footbridge connecting the Pike Market to the waterfront at the Desimone Bridge as part of the ongoing Pine Street planning study.

PINE STREET RECOMMENDATIONS

Figure W-
Pine Street
Relocation



The committee acknowledges the Pine Street planning study that the Port and the City are engaged in. As that proposal evolves, new guidelines for the Pine Street corridor may be necessary.

The following recommendations are intended to apply in the event the Port returns to a development option similar to Alternative E of the Central Waterfront FEIS. (Attachment #3).

The Pine Street corridor shall continue to serve both pedestrian and vehicular circulation function. Vehicular functions shall include:

- Access and egress from the Pike Market garage.
- Access and egress from the parcels, currently used as surface parking lots, east of the Alaskan Way right-of-way.
- Access and egress from the proposed Port development.

The pedestrian hillclimb connecting Alaskan Way to Western Avenue is a significant link between the central waterfront and the Pike Place Market. Any relocation of the roadway shall address the need to strengthen the connection between these two areas of the city. Recognizing that the proposed Pine Street right-of-way, which faces the open water area south of Piers 62/63, provides view and access benefits equal to the existing corridor, the public stairway may be relocated to align with the new roadway. All new connections to existing pedestrian pathways to the market shall be designed in conjunction with the Pike Place Market PDA. The following conditions shall be applied to the relocation/vacation of Pine Street:

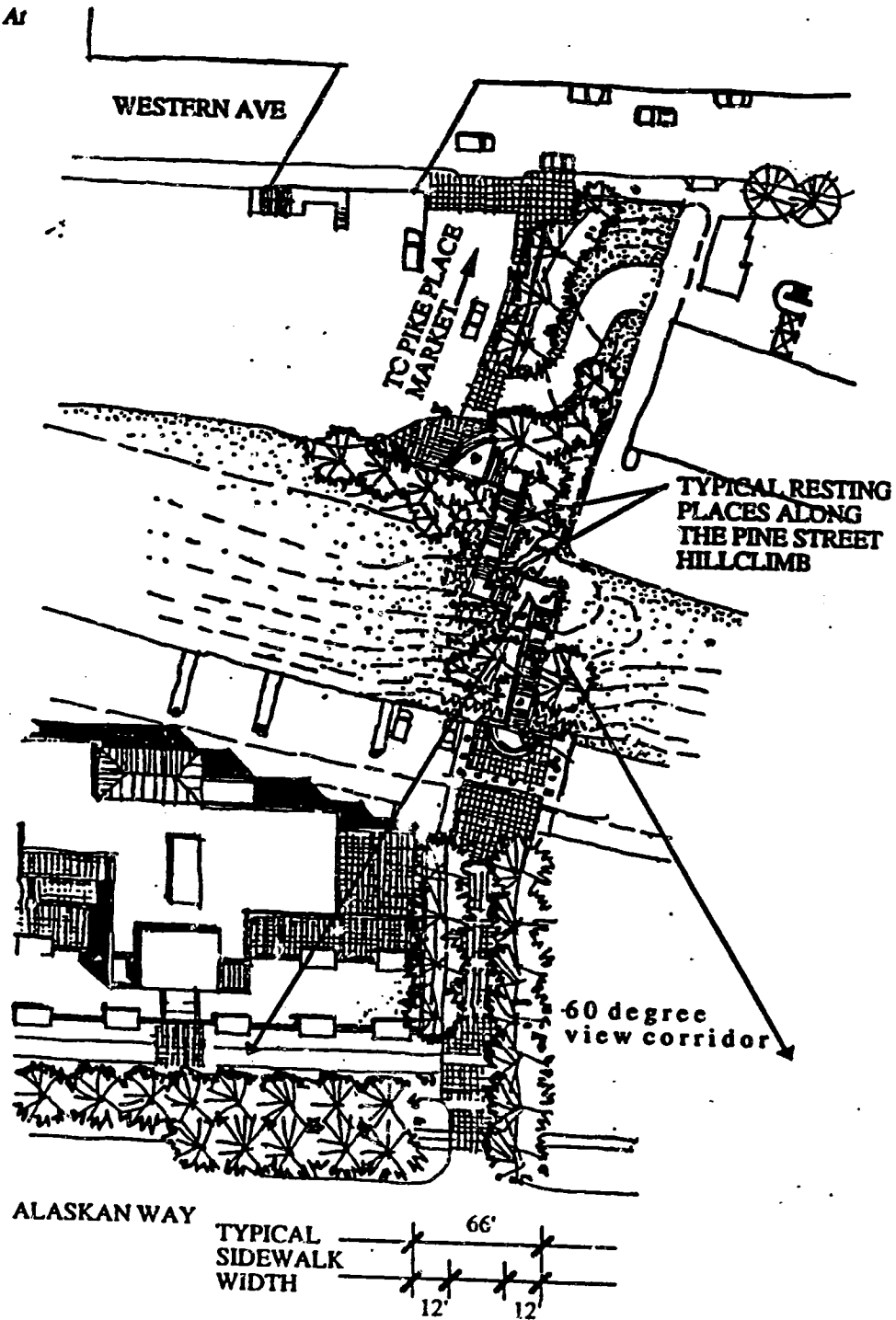
ROADWAY REQUIREMENTS

- 8.1 The relocated Pine Street right-of-way shall be 66 feet wide as required by the Land Use Code for commercial access streets.
- 8.1a To preserve views of the water, species of street trees in the Pine Street right-of-way shall be selected to minimize blockage of water views.
- 8.1b Sidewalks within the Pine Street right-of-way shall be a minimum of 12' 0" wide.
- 8.1c Sidewalk materials in the Pine Street right-of-way shall be consistent with the rest of the Port development. Planters, benches, and other landscape features may be provided consistent with the rest of the project.



PINE STREET

Figure X-
New Stairway At
Pine Street

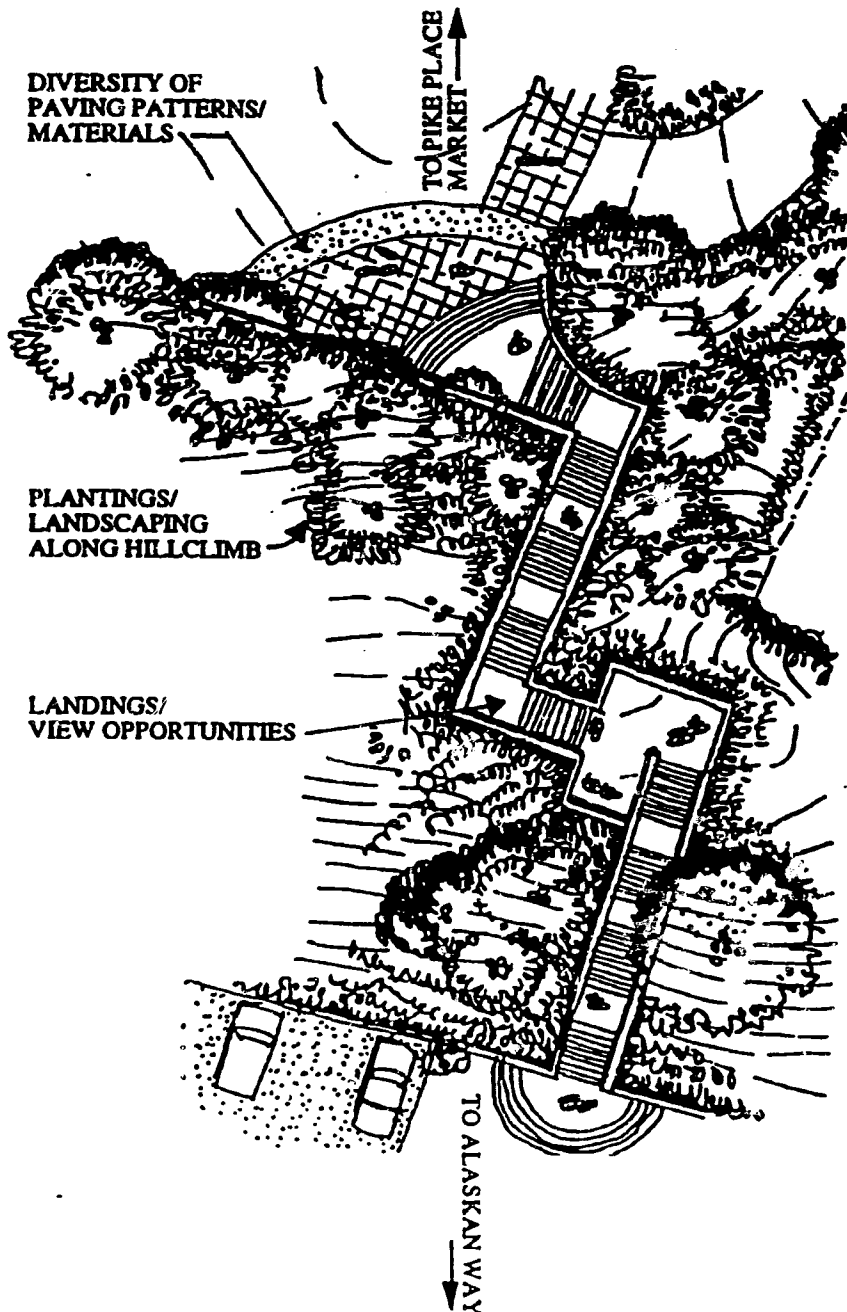


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NEW STAIRWAY

- 8.2 A new stairway no less than eight feet wide shall be provided on axis with the relocated roadway. The following elements shall be provided as part of the new stairway:

Figure Y-
Stair Detail



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Central Waterfront Design Review Committee

- 8.2a The stairway shall change directions at least once to allow a variety of vistas along its length. The mid-stair landing shall be established at an elevation which allows an expansive view of Elliott Bay over the proposed Port development. The cone of the view corridor shall match the old Pine Street alignment on the north (approximately 60°).
- 8.2b Designed elements and materials on the Pine Street stairway shall be consistent with other public spaces in the project.
- 8.2c The new stairway, shall connect the existing pedestrian corridor on the PC-1 site to the relocated Pine Street roadway.
- 8.2d Pedestrian amenities to be provided along the stairway shall include handrails, lighting, trees, shrubs and other plant materials.
- 8.2e Resting places and spaces for vendors shall be provided at the beginning, intermediate and end points along the stairway.

PUBLIC SAFETY

- 8.3 The design of the adjacent Port development shall maximize opportunities for visibility and supervision of the Pine Street stairway. Where possible, windows shall overlook the stairway and personnel in control points, e.g. access to parking shall have views of activity on the stairway.
- 8.4 The remnant parcel resulting from the relocation of Pine Street shall be maintained in a manner that does not create public safety problems for users of the hillclimb. The port is encouraged to consider temporary uses and vendors to increase activity and thereby safety in this area.

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ATTACHMENTS



Central Waterfront Design Review Committee

ATTACHMENT 1.

Alternative F

Description of the Central Waterfront Project

The Central Waterfront Project is to be a multi-use development with a maritime emphasis. Figure 1 is an illustrative plan of the entire Central Waterfront Project, including all phases. In the paragraphs below, the italicized terms followed by a number in parentheses correspond to the numbered features on Figure 1. Additional details are shown on Figures 2 and 3.

Overview: Waterside uses include a new pile-supported pier and new buildings. The main building would include a multi-use transit shed, space for fish processing, space for a maritime museum, a conference center, and areas available for public access. It also includes a location for a future cruise ship terminal, to be built within the new transit shed on the north end of the pier. A two-level pedestrian bridge in the Bell Street right-of-way would provide a connection between Elliott Avenue and Pier 66. Restaurant space is located in a separate building. Vehicular access to Pier 66 is proposed via Alaskan Way. Parking for the waterside uses would be located in the Pier 66 garage beneath the Art Institute of Seattle. Parking in the Pier 66 garage is sufficient to satisfy all demand generated by the proposed waterside development.

Public short-stay moorage accommodating the equivalent of eighty three 24 foot boats will be provided in the water area between Pier 66 and Pier 62/63.

The uplands properties east of Alaskan Way will include a 150,000 square foot office building, 125 units of housing, a 325 room hotel, a 50 room inn, shops, and public spaces. A private developer or developers will be responsible for building these components of the project.

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Location Key

The Public Project

- Working Pier Apron.....1
- Transit Shed.....2
- Fish Processing.....3
- Conference Center and
Maritime Museum.....4
- Bell Street Bridge.....5
- Public Plaza.....6
- Restaurant.....7
- Short-Stay Moorage.....8
- Esplanade.....9
- Lenora Bridge.....10

The Private Project

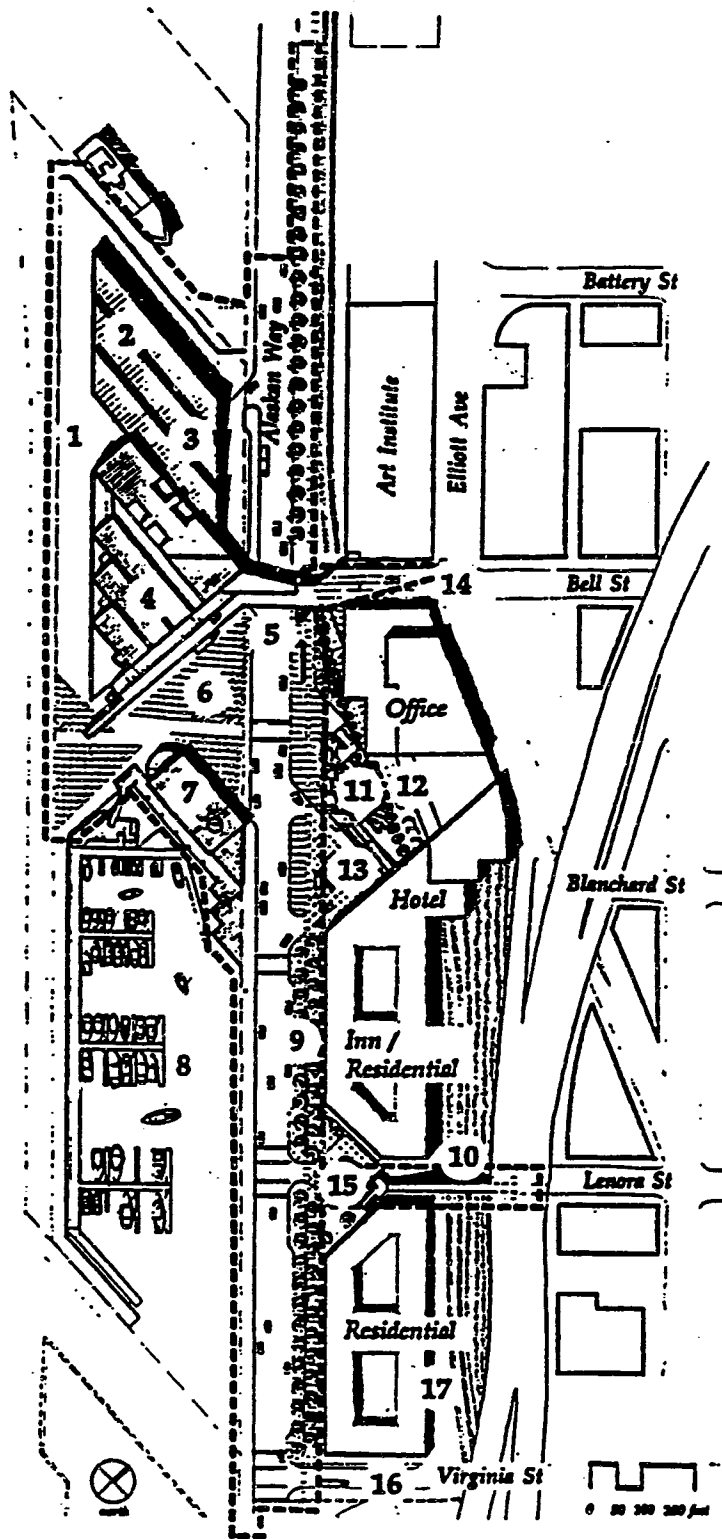
The North Block Office, Hotel, Inn/Residential

- Hillclimb.....11
- Concourse.....12
- Blanchard Motor Court.....13

The South Block Residential

Developer Improvements

- Bell Street Motor Court.....14
- Lenora Plaza.....15
- Virginia Access Drive.....16
- Service Drive.....17



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Port of Seattle
Central
Waterfront
Project

FIGURE 1

ILLUSTRATIVE
PLAN

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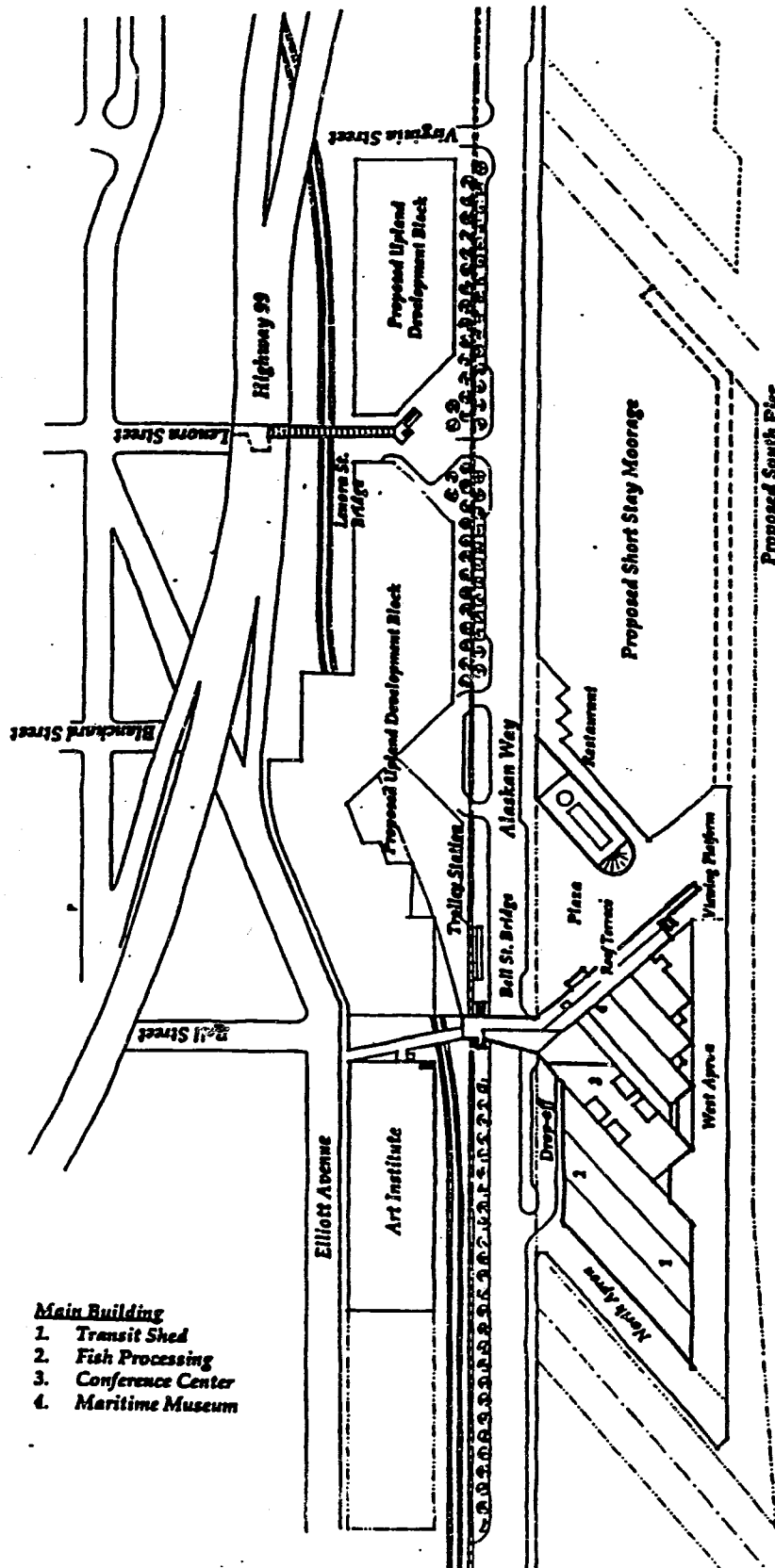
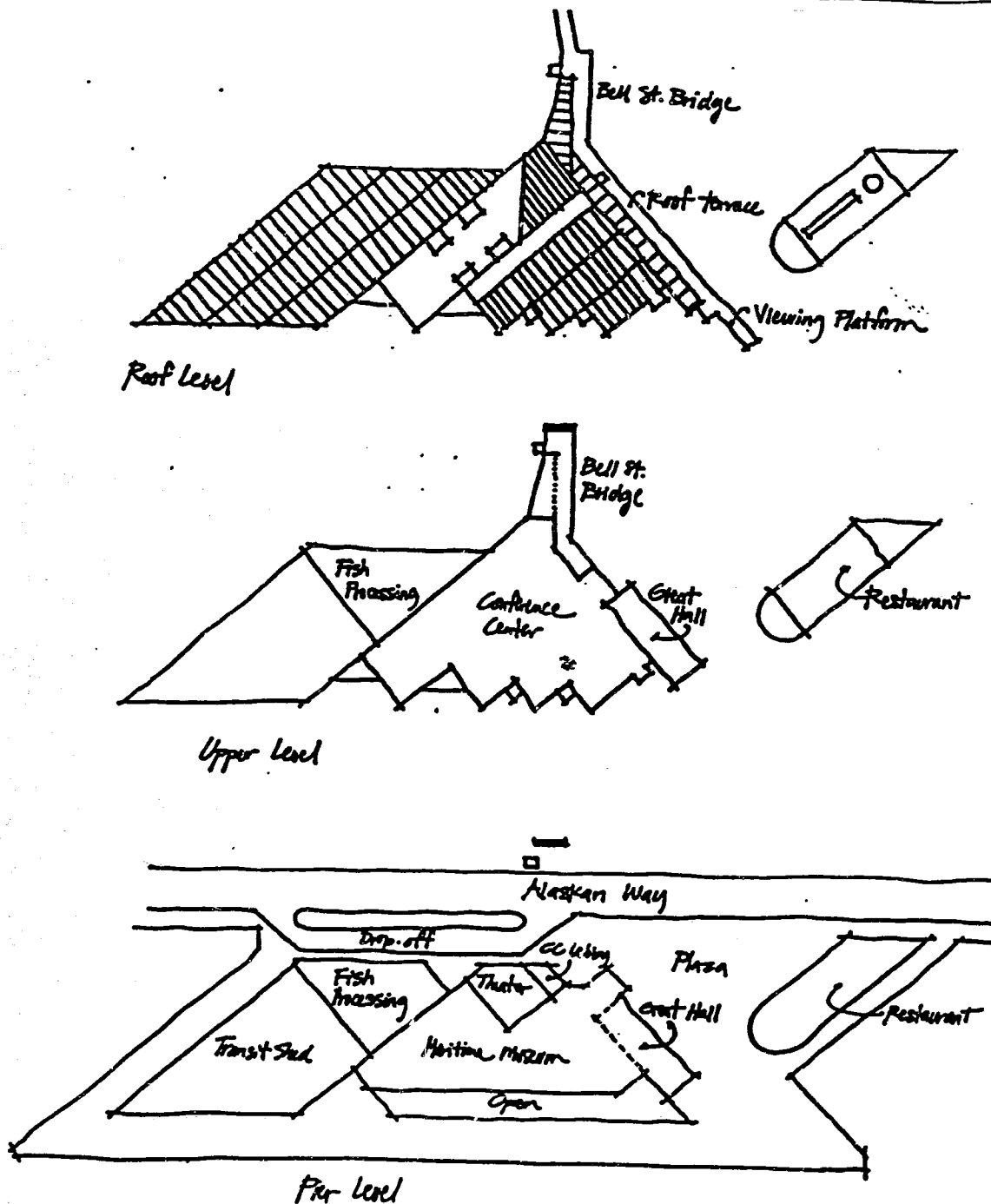


FIGURE 2
SITE PLAN

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Port of Seattle
Central
Waterfront
Project

FIGURE 3
BUILDING PLANS
PIER 66

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Table 1: Uses Proposed for Pier 66*

Use	Area	Total
Fish Processing		15,000 sf
Transit Shed and Service Area		33,750 sf
Maritime Museum		38,300 sf
Conference Center	38,000 sf	
Lobby (Level 1)	800 sf	
Subtotal	38,800 sf	
Exterior Decks	<u>1,660</u> sf	
Total		40,460 sf
Restaurant/retail		
First Floor	10,800 sf	
Second Floor	<u>7,060</u> sf	
Subtotal	17,860 sf	
Exterior Decks	<u>3,350</u> sf	
Total		21,210 sf
Bell Street Bridge		
Bookstore/newsstand/cafe		1,500 sf
Public Access (exterior)		
Plaza	47,800 sf	
Roof Terrace	3,900 sf	
Viewing Platform	<u>900</u> sf	
Total		52,600 sf
Working Pier Apron		
West Apron	36,220 sf	
North Apron	<u>18,400</u> sf	
Total		54,620 sf

**Based on Hewitt Isley area calculations, April 22, 1992, modified May 28, 1992; modified 6/5/92*

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Pier

Among the factors that drove the Port's initial interest in redeveloping Pier 66 were the age and condition of the existing pier, and the fact that it is not the optimal size for modern maritime operations. The old timber piles and decking have deteriorated with time, and the pier apron is not wide enough or strong enough to support large trucks.

The new pier is proposed to consist of driven structural steel pipe piles, structural steel caps, and a concrete deck. Some locations may have precast prestressed concrete piles with a concrete cap. The area to the south of the restaurant is planned to have an architectural timber deck. A portion of the new pier would be "cut out" along the west face of the main building, exposing the open water beneath. The new *working pier apron* (1) would be 50 feet wide, compared to the existing 30 feet. The working pier apron includes both a north apron and a west apron. The working pier apron would support the water-dependent and water-related commercial uses proposed at the north end of Pier 66. For reasons of safety and security, public access to the apron would need to be restricted. A truck gate and fire exit gates would be located at the east end of the north apron, near Alaskan Way, and at the south end of the west apron.

Main Building

In place of the existing Port headquarters building and transit shed would be a multi-use building approximately 45 feet high (excluding projections allowed by the *Land Use Code*). The volume and massing of the new building are intended to be reminiscent of structures that have existed through time along the Seattle waterfront. At the northernmost end would be a *transit shed* (2), as shown in Figure 3. The transit shed, in combination with the large vessel moorage and working apron, would be a support facility for maritime operations, such as transient moorage, fish processing, cruise ship berthing, and fish trawler reprovisioning.

Space for *fish processing* (3) with water access would be located in the transit shed at the main level and possibly the second floor. The facility as currently designed would provide public viewing of the operation through windows at street level. It would also have a retail outlet for both fresh and smoked fish. The size of the fish processing area and the facilities to be included within the space may vary depending on the particular fish processing tenant.

The proposed transit shed does not include a cruise ship terminal at this time, but allows for future development of one. Within the transit shed, the cruise ship terminal would accommodate passengers with a second level waiting area and first level customs processor. Sufficient on-site parking for six buses could be provided.

While the north end of the main building would be occupied by the transit shed and fish processing, the south end of the building is planned for a *maritime museum* (6) at the pier level. Such a facility has been considered as one of the program elements of the Central Waterfront Project since its early planning stages. A goal of the Odyssey Maritime Museum (a non-profit organization) is to be an educational institution focused on building public awareness of maritime activities that shape the character of the Puget Sound region and define its place in global affairs. They envision a contemporary focus and expect to provide a range of community-based programs. The museum planners desire a strong visual connection to the street in order to establish a presence and attract visitors; a large volume space with high-ceilings in which to display full-sized artifacts; and a location for a theater that could have direct access from the outside to allow its use when the museum is closed.

The maritime museum would occupy the pier level and a mezzanine level at the south end of the main building. Above it, on the upper level, would be the *conference center* (4) to foster the exchange of information on an international scale. The target market includes both international and local components. The Pier 66 facilities would include a variety of room types and configurations allowing for both large and small groups and accommodating a wide range of presentation formats. The average length of stay is two days.

Two types of users are expected to patronize the conference center.

1. individual companies holding primarily "internal" meetings where the typical group is 25-60 participants (maximum of 100), and
2. groups holding a conference on a particular subject, i.e., associations, continuing education, research, etc., where the conferences average 100-200 participants (maximum of 250).

The conference center would include a plenary hall, conference rooms of varying sizes, dining and kitchen facilities, interpreters' booths, and other support spaces. Except for its 800-square foot lobby at pier level, all of the conference center is located above pier level. Since the City's Department of Construction and Land Use has indicated that the conference center is properly classified as a place of public assembly, this use is permitted at pier level.

Along the south edge of the roof level of the main building would be a roof terrace overlooking the plaza, restaurant building, and public moorage. Pedestrians could reach the terrace by several routes, including an elevator from the plaza where it joins the vehicle drop-off area at Alaskan Way, a stairway at the southwest end of the main building, or the proposed Bell Street bridge. The roof terrace would terminate in a viewing platform near the stairway. This platform would afford panoramic views in all directions, superior to any now available on the waterfront.

Bell Street Bridge

The conference center and the rest of the pier activities would be linked to the uplands development by the *Bell Street bridge* (5). This two-level bridge across Alaskan Way within the Bell Street right-of-way would provide safe, barrier-free access in place of the existing Bell Street stairs and crosswalk at grade. The Bell Street bridge would include 1,500 square feet of interior space to accommodate a bookstore, newsstand, and cafe area for the public. It would tie into the entrance to the conference center and possibly to the museum. The upper level would be an open-air pedestrian walkway. Weather protection on the upper level is not proposed at this time, as it would exceed permissible heights allowed by the *Seattle Shoreline Master Program*. The upper pedestrian walkway would be 45 feet above Alaskan Way, and there would be 22 feet of clearance over Alaskan Way. At its east end, the Bell Street bridge would be connected to Elliott Avenue. Since construction of the upland portion of the Central Waterfront Project would later require improvements at Bell Street and Elliott Avenue, the portion of the bridge connection from Elliott Avenue to the east side of Alaskan Way would be provided by the Port as part of the Bell Street Bridge on an interim basis. A permanent connection to Elliott Avenue would be built when the Bell Street motor court is developed as part of the uplands development (see Figure 1). The Bell Street bridge is intended to create a strong functional connection between the uplands and Pier 66, and it would provide a route for pedestrian circulation between the two, separated from activity on the pier and at street level on Alaskan Way.

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Public Plaza

A public plaza (6) at the south end of the pier adjacent to the public short-stay moorage would provide the majority of the "regulated public access" required by the *Seattle Shoreline Master Program*. Elements within the plaza would include light fixtures, flag poles, bollards, and seating. The portion of the plaza south of the restaurant building and adjacent to the moorage would be surfaced with wood decking. When the moorage is built, it would have a lower viewing deck with a harbor master office, restrooms, and storage building. A barrier-free ramp would connect the plaza to the lower viewing deck and a ramp from the deck would provide access to the moorage floats. The south pier extension to be constructed over the breakwater for the moorage would also be directly accessible from the public plaza. For safety and security reasons, public access to the west and north pier aprons would need to be restricted to avoid conflicts with water-dependent uses. Space for a maritime museum would also be located within the main pier building bordering the plaza. Above it would be the conference center and roof terrace. A two-story restaurant and retail building is proposed at the southernmost end of the plaza, overlooking the public moorage.

Restaurant

Schematic design for the pierside includes approximately 21,210 square feet for a restaurant (7) to be located separate from the main building, adjacent to Alaskan Way and the short-stay moorage. This restaurant is expected to have different levels of service available, with casual dining and take-out on the first floor and more formal service on the second. Floor plans for the restaurant building are shown in Figure 3. The building may house more than one restaurant, and there may also be some retail space within the restaurant building. While some outdoor seating for the restaurant(s) is envisioned, the public plaza would extend around the building on the south side, so the general public would have free access to the edge of the pier overlooking the moorage.

Lenora Street Bridge

The existing Lenora Street bridge, which is no longer functional, would be removed. It would be replaced with a new open-air barrier-free pedestrian bridge that would allow persons to walk from the Pike Place Market area under the Alaskan Way viaduct and on to the new Lenora bridge (10) over the Burlington Northern railroad tracks at Lenora Street. A sidewalk connection from the new bridge elevator and stairs to the Alaskan Way sidewalk would be installed by the Port on an interim basis until the new Lenora plaza (15) is constructed as part of the uplands development.

Alaskan Way Street Improvements

As there are virtually no curbs, sidewalks, or landscaping on the east side of Alaskan Way on the existing site, the proposed street improvements would significantly improve north-south pedestrian connections on the central waterfront. New concrete curbs, gutters, and sidewalks would be constructed from the southern edge of Virginia Street north to Wall Street. Deciduous shade trees would be planted on the east side of Alaskan Way between Bell and Wall Streets. Between Virginia and Blanchard, in front of what is proposed for development as hotel and residential uses, would be a double row of shade trees along either side of the existing waterfront trolley, shown as the *esplanade* (9) on Figure 1. A parking zone and concrete sidewalk would be constructed between Alaskan Way and the trolley zone and a multi-use trail would be constructed east of the trolley zone between Blanchard and Virginia Streets. The multi-use trail would continue northward along the

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west side of the trolley zone from Blanchard to Wall Street. Special surface treatment is proposed for the concrete sidewalks on both sides of Alaskan Way.

As part of improvements to the west side of Alaskan Way, the existing sidewalk would be widened to 20 feet. This would eliminate the existing parking lane on the west side of Alaskan Way. The roadway, with new curbs and gutters, would be 44 feet wide, allowing two northbound and two southbound lanes of traffic, as well as the parking already described for the east side of the street. There would be no street trees on the west side of Alaskan Way.

In front of the main Pier 66 building a new drop-off area would provide vehicle access to the pier. At its north end trucks could enter through the truck gate to the north apron. Other vehicles could pull up to the lobby of the conference center and the entry to the museum to pick up or drop off passengers. In addition to the sidewalk along Alaskan Way, which would be rebuilt as part of the street improvement package, a second parallel sidewalk would abut the front face of the main building, where windows at street level would allow views of the fish processing operations within.

The existing historical concrete railing along the seawall is to be protected and preserved. Existing gaps in the historic railing would be replaced with a new concrete railing built to match the existing one.

New pedestrian crosswalks on Alaskan Way would be located: (1) as part of the hill climb between Pier 66 and the uplands development; (2) near Blanchard; (3) at Lenora Street; and (4) at Virginia Street. These crosswalks would be demarcated by special surface treatment. The existing crosswalk at Bell Street would be removed.

The existing trolley line would be paved from Virginia Street to just south of Bell Street. The current plans are to leave the trolley station at its present location. The existing platform would remain, and a new shelter and new steel guard rail would be constructed.

Short-Stay Moorage

Public short-stay moorage (8) will be provided in the water area between Pier 66 and Pier 62/63.

A major component of the moorage is the south pier, which includes a fixed pier with wave board extending southeast from the public plaza. The pier would be approximately 570 feet long by 20 feet wide and a return approximately 165 feet long by 20 feet wide would extend in an easterly direction from the southern end to the moorage entrance. The south pier would provide shoreline public access area as well as protection for the moorage. Access to this pier extension may be limited during high storm conditions or during use for marine or maintenance activities. The south pier would have night lighting and would be open 24 hours a day for public access. To the east and behind the pier would be a system of interconnected floating concrete finger piers offering 2,260 linear feet of public short stay moorage, which could accommodate 83 vessels if each were 24 feet in length. A harbor master's office would be located at the northernmost end of the facility, connected to the public plaza by a ramp. Wave attenuating riprap would extend along the Alaskan Way seawall from near the restaurant building to Pier 63.

The moorage finger piers would be accessed from the public plaza by a ramp down to a timber planked steel or concrete deck. Public access to the lower harbor master's office and finger piers would be controlled by a lockable gate at the top of the ramp. The gate will

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normally be open during daylight operating hours, with limited keyed access when the harbormaster's office is closed.

The harbormaster's office would be a one-story structure which would include two unisex restrooms, a small harbormaster's office, and storage space for the harbormaster's use. The restrooms would not have showers.

Also included at the harbormaster's level is a lower viewing deck of approximately 2,500 square feet of open deck space which would be open to the public during daylight operating hours. Access to the finger piers would be further controlled by a keyed security gate set before two variable slope gangways reaching down to the floating finger piers. One gangway would be sited to allow barrier-free access under all but extreme tidal conditions.

The finger piers would be designed to meet the moorage basin conditions as determined by tank testing. A net float for commercial and tribal fishermen would be provided adjacent to the harbormaster's office, but at the moorage float level. A sewage pump-out facility would be located at the southernmost finger pier.

A 20-foot wide opening for fish passage would be located at the northernmost end of the facility between the Pier 66 bulkhead and wave board.

The riprap along the Alaskan Way seawall may be developed for mitigation habitat.

Uplands

The Port's development program for the waterside property ensures that uplands development will have direct access to the waterfront and unencumbered views of Elliott Bay and the Olympic Mountains. Per zoning regulations, the maximum heights of buildings proposed for the uplands is 85 feet above Alaskan Way north of Lenora and 55 feet above Alaskan Way south of Lenora with the exception that buildings on the hillside parcel east of the Burlington Northern Railroad are 85 feet above Elliott Avenue or 148 feet above Alaskan Way.

A 450 foot tunnel will lid over the Burlington Northern tracks between Bell and Blanchard Streets. The tunnel will be covered with a pedestrian plaza providing access to the upland buildings. Pedestrian connections from the uplands to the Pike Place Market, central business district, and residential neighborhoods will be located strategically throughout the project.

Above the public plaza, an office building will rise on the north end of the hillside parcel along Elliott Avenue. A hotel tower will occupy the southern portion of the hillside parcel. The hillside site will have approximately 360 parking stalls under the office building. To the west of the Burlington Northern tracks, a second hotel tower will rise above a garage with lobby and other support activities fronting along Alaskan Way. At Lenora Street, an "inn-type" hotel will be located on top of the hotel garage. This parcel could also be combined with the hotel to create a single larger facility or could be developed as housing. The parcel between Lenora and Virginia can accommodate approximately 125 to 150 units of housing on top of and in front of structured parking.

The Port plans to coordinate the development of its 1-acre parcel between Virginia and Pine Streets with the City, which owns Piers 62 and 63, and the Pike Place Market, which controls the PC-1 parking lot. Developed jointly, these three underutilized parcels can further strengthen the linkages between the waterfront and the rest of the City.

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All the parking for the upland development will be provided by the structured parking proposed beneath the new buildings on the uplands.

Table 2: Uses Proposed for the Uplands

Function	Approximate Size
Office	150,000 sf
Private Parking (Office) 360 Cars	144,000 sf
Hotel (Suites & Rooms) 325 Units	230,000 sf
Inn (50 Rooms)	55,000 sf
Retail	15,000 sf
Private Parking (Hotel, Retail, Inn) 270 Cars	108,000 sf
Housing (Combined) 125-150 Units	150,000 sf
Parking (Housing) 155 Cars	57,000 sf

COMPARISON OF SCHEMATIC DESIGN TO ALTERNATIVE F

Alternative F as presented in the Final EIS was proposed as a general development program for the site that addressed site boundaries, uses of the site, physical arrangement of uses, and types of pedestrian connections through the site. It described uses in terms of general size and general location on the site. The schematic design for the waterside portions of the Central Waterfront Project is identical or very similar to Alternative F in most respects. This section describes the differences between the general development program and the schematic design, which are summarized in Table 3.

In Alternative F, there was one main building on Pier 66; in the present proposal, the restaurant and some retail space would be located in a separate building. The restaurant building would block some of the views of the water from portions of the plaza, but the total plaza area and the total public access area are substantially larger than in Alternative F. There are water views from nearly all parts of the plaza, and panoramic views from more than half of it.

Table 3. Schematic Design Compared to Alternative F

Program Areas	Alternative F	Schematic Design
Conference Center	45,000 sf	40,000 sf
Maritime Museum shell	35,000 sf	38,000 sf
Transit Shed/Fish Processing shell	45,000 sf	50,000 sf
Restaurant shell	25,000 sf	21,000 sf
Plaza (at pier level)	25,000 sf	47,800 sf
Bell Street bridge (program space)	5,000 sf	1,500 sf

The Bell Street structure in Alternative F was envisioned as a substantial structure that would contain restaurant or retail space and roughly 5,000 square feet of program space connecting the conference center on Pier 66 with the offices on the uplands. In the course of the planning and design work that has occurred since the Final EIS was published, the program space within the Bell Street structure has been reduced significantly. It is still intended to provide a lively pedestrian connection between the waterside and upland side of the Central Waterfront Project.

Alternative F proposed to retain the existing Lenora Street bridge, or replace it with a new structure that would carry pedestrians from the Pike Place Market to the west side of Alaskan Way. In Alternatives C and D it ended on the east side of Alaskan Way, from which pedestrians could descend stairs or an elevator to cross the street at grade. The EIS assessed pedestrian circulation for both options and concluded that there were no significant differences between them. The plan for the Lenora Street bridge in the schematic design is similar to that in Alternatives C and D.

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ATTACHMENT 2

Alternative E

Alternative E proposes a multi-use development with a maritime emphasis (Figure 2.14). On the water side, it includes a rebuilt pier, an expanded pier apron, a short-stay public moorage facility, multi-use transit shed, Maritime Center, a World Trade Center with offices and conference facilities, and increased areas available for public access. It also includes a location for a future cruise ship terminal, to be built above the new transit shed. The uplands would include retail, housing, hotel, and a landscaped secondary access street along Alaskan Way. In that Lenora Street is in the center of the uplands and has a physical and visual prominence, it would become the focal point of the uplands development.

1. Pier 64/65

The features of the public short-stay moorage facility proposed for Alternative E would be similar to those proposed for Alternatives B, C, and D in the Draft EIS. Refer to the description of the public short-stay moorage in Section 2.10 of the Draft EIS for additional detail regarding this facility. Also refer to Section 3.2.1, Parks and Public Spaces, for further discussion of public access in Alternative E.

2. Pier 66

Alternative E proposes demolition of the Port of Seattle office building, the existing pier and apron, and the existing transit shed. The pier would be rebuilt and extended west and the transit shed would be improved as in Alternatives B, C, and D in the Draft EIS.

At the south end of the pier, adjacent to the public short-stay moorage, would be a public plaza and a public pavilion comparable to those in Alternatives C and D. The existing sidewalk on the western side of Alaskan Way would be extended into Port property west of Alaskan Way right-of-way. The plaza, pavilion, extended sidewalk, and floating dock along Alaskan Way would provide "regulated public access," per the *Seattle Shoreline Master Program*. Public restrooms would be provided. For safety and security reasons, public access to part or all of the apron may need to be restricted at certain times to avoid conflicts with water-dependent and/or water-related uses.

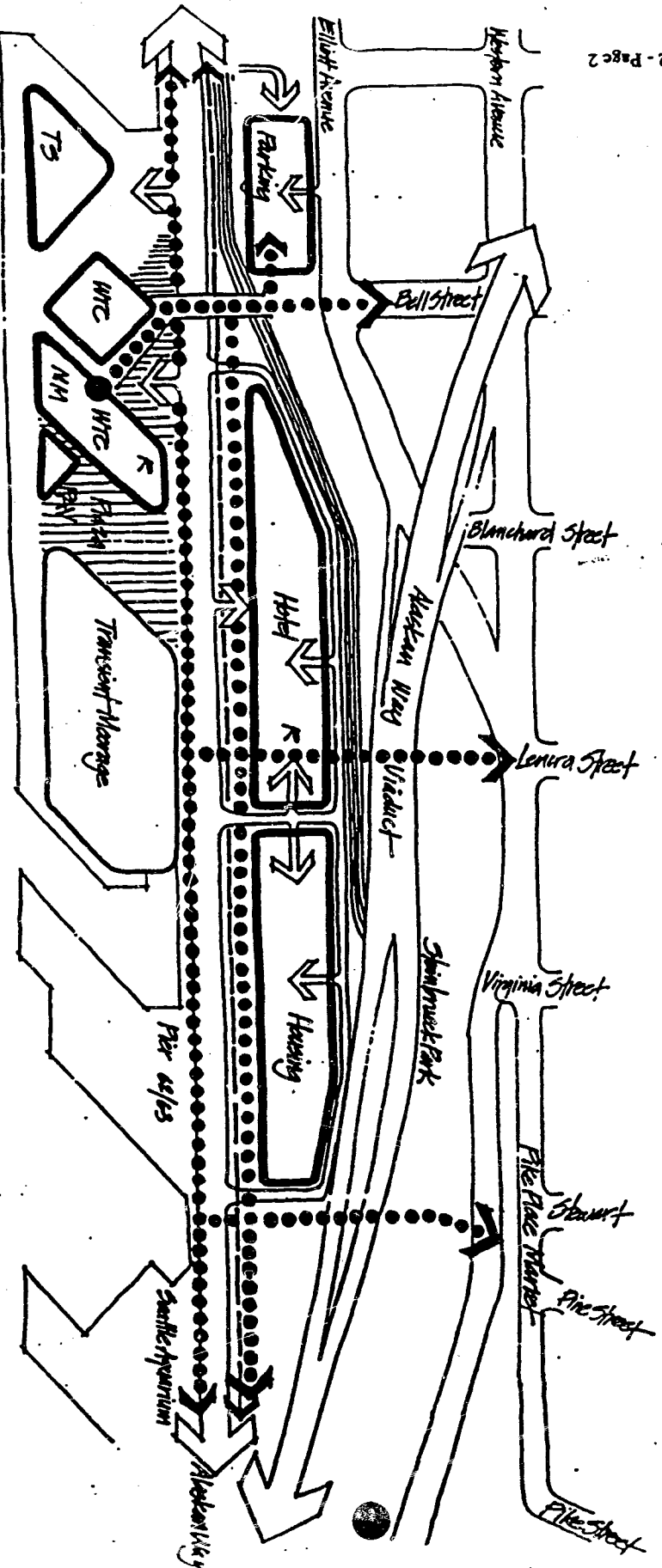
The internal pier area could include a large arrival courtyard, the multi-use transit shed, the World Trade Center offices and conference center, and the Maritime Museum. The Maritime Museum would be located on the south end where it would be connected with the public plaza and other public areas. Retail, restaurant, exhibition space, and lobbies for the World Trade Center and its conference center could be located at the pier level. Upper levels of the five-story building would be used by the World Trade Center.

Vehicle drop-off and turn-around areas would serve buildings on the pier. Additional plaza areas of the internal pier area could be used for the World Trade Center. These plaza areas may be open to the public affording access to the pier edge when the pier apron is not in active maritime use.

A major component of the complex on Pier 66 would be a World Trade Center occupying approximately 150,000 square feet with a conference center component of 25,000 square feet, similar to the facilities described for Alternatives C and D.

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This is a conceptual diagram intended to illustrate a possible arrangement of uses on the site. It should not be construed as a final design.

FIGURE 2.14

Legend

WTC	World Trade Center	PAV	Public Pavilion
FP	Fish Processor	OFF	Office
MM	Maritime Museum	R	Retail/Restaurant
CST	Cruise Ship Terminal	Hou	Housing
TS	Transit Shed		

Port of Seattle CENTRAL WATERFRONT PROJECT

Alternative E: Programmatic Component

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Alternative E proposes a cruise ship terminal on the site, if the Passenger Services Act were amended. (See Section 4.2, which discusses the current status of this legislation.) Since the likelihood and timing of such an amendment is uncertain at the time of this writing, the multi-use transit shed in Alternative E would be capable of supporting the large vessel fishing fleet, government vessels, large load barges, hospital ships, and a variety of itinerant vessels. As in Alternatives C and D, design features of the transit shed would allow for cruise ship services to be accommodated as a future use, for which new space would be built above the transit shed.

The program for Alternative E could be contained in buildings 60 feet in height on the pier except for the multi-use transit shed which could be approximately 18 to 26 feet high. The shed could be structured to accommodate another story to house the cruise ship terminal, if it were constructed in the future. Future expansion of this building would be limited to a height of 60 feet. Council conditional use approval would be required for the extra height over 45 feet.

Alternative E

Floating Platform	0 sf
Floating Dock	4,000 sf
Public Plaza	47,000 sf
Public Pavilion	8,000 sf
Fish Processing Shell	0
Transit Shed Shell	30,000 sf
Maritime Museum/Exhibit Shell	35,000 sf
Cruise Ship Terminal ¹	25,000 sf
Retail/Restaurant Shell	150,000 sf
World Trade Center	25,000 sf
WTC Conference Center	

- ¹ Cruise Ship Terminal of roughly 30,000 sf and facilities may be added at a future date if the Passenger Services Act is changed. See Section 4.1.

As in Alternatives B, C, and D, parking for these pier uses would be located in the Pier 66 garage under the Art Institute of Seattle.

Alternative E proposes a new pedestrian bridge from the Pier 66 parking garage east of Alaskan Way, connecting with the new building on Pier 66 that would house the World Trade Center and its conference center (refer to Figure 2.14). Pedestrians approaching the pier from Elliott Avenue would have a choice of taking the improved Bell Street hillclimb and crossing Alaskan Way at grade, or using the new pedestrian bridge, which would be barrier-free.

3. Uplands

The Alternative E program includes a residential building on the south portion of the uplands site, and a hotel on the north portion. At present, the Lenora Street overpass extends from under the Alaskan Way viaduct west to the seawall, where it ends abruptly over the water. It is fenced off at its eastern end, and no longer serves a pedestrian or vehicular function. In Alternative E, the Lenora corridor would be restored as an active pedestrian route linking the waterfront with downtown east of the viaduct. The Lenora corridor would cross through the south end of the hotel. A secondary access street parallel to Alaskan Way and immediately east of the existing trolley line would provide a pick-up and drop-off area for the residential units

and possibly garage access. A new sidewalk and landscaping along this secondary street would improve pedestrian routes through the sub-area and would buffer the new structures from Alaskan Way.

The hotel could be 85 feet high (eight stories) north of the Lenora Street corridor, and five stories, or 55 feet high south of Lenora. The southern residential building would also be five stories, or approximately 55 feet high (Figure 2.14).

	Alternative E
Hotel Rooms: 325 units	288,000 sf
Hotel Parking: 375 spaces	129,000 sf
Retail/Restaurant Shell	58,000 sf
Retail/Restaurant Parking: 75 spaces	29,000 sf
Residential: 200 apartments or condos	246,000 sf
Residential Parking: 275 spaces (1.3 spaces/unit)	92,000 sf

Parking for the new upland uses, totalling about 725 stalls, would be provided beneath the new buildings on the uplands with access from the east or west sides of the buildings. Alternative E relies on spaces in the Pier 66 garage at the north end of the site to satisfy most of the parking demand generated by the proposed uses on Pier 66.

4. Alaskan Way

Several improvements would be made within the Alaskan Way right-of-way and to Port property adjacent to the right-of-way. The west sidewalk would be extended over the water west of the Alaskan Way right-of-way to enhance the pedestrian environment along the waterfront. Improvements would include new paving and curbs, new street furnishings and lighting, and replacement of the concrete guardrail.

In the traffic lanes of Alaskan Way, three new pedestrian crossings would be repaved and signalized at Blanchard, Lenora, and Pine Streets, and a parking lane with curb bulbs would be built on the east side. The pedestrian crossing at Blanchard could have special paving as a visual tie between the uplands and the public plaza, encouraging and enhancing pedestrian connections between the two portions of the site.

Along the east side of Alaskan Way would be new curbs, and new sidewalk and landscaping. There would also be a multi-use path in the area between the secondary access street and Alaskan Way. The Waterfront Trolley would continue to run on its present track, just west of the multi-purpose trail. The intent of the program for Alaskan Way is to create an urban pedestrian promenade that complements the new developments to the east and west, and integrates this currently under-developed public resource with existing and proposed waterfront resources to the north and south.

5. Lenora Street Corridor

The Lenora Street corridor would be redeveloped into a major pedestrian access from the waterfront to the Pike Place Market, the Regrade, and downtown, comparable in most respects to the corridor proposed in Alternatives C and D. The hillclimb could include elevators, a public

viewing platform, and a variety of commercial and retail services. The viewing platform providing panoramic views of the waterfront could be located on the upper level of one of the buildings flanking the Lenora Corridor. It could be accessible by both stair and elevator, and would be clearly marked as available to the public.

6. BN Uplands

Alternative E does not propose to include Sub-area 6 within the project site.

7. Bell Street Corridor

An additional pedestrian connection would be developed from the Pier 66 garage near Elliott to the buildings on Pier 66. It would be an elevated walkway providing elevator service to the pier level, facilitating barrier-free pedestrian access between the Pier 66 garage and the pier, as well as pedestrian connections between the Denny Regrade neighborhood and the waterfront. This new skybridge would improve pedestrian circulation near the Bell Street corridor, as existing pedestrian traffic from this point is difficult due to steep grades and the Burlington Northern Railroad tracks. The proposed bridge would offer an alternative to crossing Alaskan Way at grade and crossing over the Burlington Northern Railroad tracks where they emerge from the tunnel east of the upland site.

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AGREEMENT

THIS AGREEMENT, made this 27th day of December, 1989, between the PORT OF SEATTLE, a municipal corporation ("the Port") and the CITY OF SEATTLE, a municipal corporation, ("the City"). The parties agree as follows:

1. The City will convey to the Port, in the manner provided in Section 3, the City's interest as that term is described in Section 3, in 1) the "Burlington Northern Right of Way" ("BNROW") that abuts the Port Upland Properties and adjoining streets and rights-of-way as generally shown in Exhibit 1, BNROW, Parcels C, F, B, E, A, K, and that triangle area south of Pine and north of Pike Streets, and in 2) the portions of the adjoining streets and rights-of-way of Blanchard, Lenora, Virginia and Pine Streets as shown in Exhibit

1. In addition, should the Port acquire ownership of Parcel J, and/or additional properties south of Pine and north of Pike Streets and abutting the BNROW, this Agreement shall include transfer of the City-owned BNROW abutting these parcels in the manner provided in Section 3.

2. The Port shall construct or cause to be constructed a public trail through the length of the BNROW which abuts the Port Upland Properties, and grant the necessary easements, if any, for such a trail; provided the City, in consultation with

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the Port, selects a central waterfront trail route, by January 1, 1991, requiring use of the BNROW for a continuous trail. In this event, the Port, or its developer, and the City shall share equally in the cost of trail construction and the Port or its developer will work with the City to ensure that design, easement requirements, and routing of the trail are consistent with City standards.

3. The BNROW describes an area conterminous with a certain former franchise granted to a predecessor(s) of the Burlington Northern Railroad Company ("BN") and lying generally within a portion of the Alaskan Way right-of-way between Pine Street and Bell Street. Pursuant to Ordinance 113497, the City and BN entered into an agreement to reroute train service and cease operations in the BNROW ("City-BN Agreement"). It is understood that as part of the City-BN Agreement, the City agreed to pay substantial consideration to BN to offset increased operating costs and certain capital improvements required by the rerouting of train service.

The City's ownership interest, if any, to the underlying fee of said right-of-way area shall be conveyed by quit claim deed to the Port following vacation of the BNROW by the City. Any and all rights the City acquired in the BNROW as a consequence of the City-BN Agreement shall be transferred by the quit claim deed to the Port if the franchise rights to the BNROW

are terminated and the BNROW is vacated by the City. The City's ownership interest to the underlying fee of said adjoining streets and rights-of-way of those portions of Blanchard, Lenora, Virginia and Pine Streets (as shown in Exhibit 1) shall be conveyed by quit claim deed to the Port following vacation of these streets and rights-of-way by the City. The City makes no representations, promises or warranties that it has any ownership interest in the underlying fee to said areas.

4. Upon execution of this Agreement the City shall, consistent with all applicable statutes, ordinances and procedures, promptly review a petition submitted by the Port for the vacation of the BNROW and portions of the streets and rights-of-way abutting the property identified and as shown generally in Exhibit 1. The City shall use reasonable efforts to act upon such vacation not later than one hundred and twenty (120) days following execution of the Agreement; provided that, nothing contained herein shall be construed to alter the City's legislative authority to review and decide upon said vacation petition.

5. Any future street vacations granted to the Port as a result of the City street vacation application and review process in the zones identified on the attached map (Exhibit 2) shall be processed expeditiously and shall be at no cost to the Port except for the City's administrative costs only, and shall not include any payment based upon the fair market value of the

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area vacated, provided, however, that the City shall review each petition consistent with City Council Resolution 27527 or other City resolutions or ordinances concerning street vacation policies; and provided further, that this Agreement does not relieve either party of its obligations as contained in the adopted "Comprehensive Public Access Plan for the Duwamish Waterway."

6. The Port, the Department of Natural Resources and the City have entered into a "Memorandum of Understanding" ("MOU") dated the 1ST day of NOVEMBER, 1989 (a copy of which is attached hereto as Exhibit 3), to develop and share jointly in the costs of a short-stay public boat moorage facility between piers 63 and 66 as provided in the MOU. The City's contribution toward the public moorage project at Piers 64 and 65, pursuant to the terms of said MOU, is estimated in Attachment A to the MOU to be \$1.7 million.

7. Upon delivery of the above-referenced BNROW quit claim deed and street vacation quit claim deeds as described in paragraphs 1 and 3 of this Agreement, and in recognition of the consideration set forth in this Agreement, the Port will pay the City \$2.8 million.

8. The City, its successors, grantees and assigns agree to indemnify and hold harmless the Port, its successors, grantees and assigns from any and all liabilities, obligations, losses, damages, claims, judgments, suits or expenses of any

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kind or nature whatsoever arising out of or in any way
concerning the City-BN Agreement or any ordinance terminating
the franchise rights to the BNROW.

PORT OF SEATTLE

By 

CITY OF SEATTLE

By 

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COPY

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11:00

**LENORA BRIDGE
PUBLIC PEDESTRIAN ACCESS EASEMENT**

THIS EASEMENT is conveyed this 4th day of August, 1994, by the Port of Seattle, a municipal corporation ("Port") to The City of Seattle, Washington ("City").

RECITALS

1. The Port is the owner of that certain real property which is situated in King County, Washington, adjacent to Lenora Street, which is more particularly described in Exhibit A attached hereto (the "Port Property").

2. As part of the Port's Central Waterfront Project, the Port filed petitions under C.F. Nos. 296649 and 297673 to vacate several streets, including Lenora Street west of Alaskan Way. The Port proposes to demolish a portion of the existing Lenora Bridge and reconstruct it under City-approved plans (the "Lenora Bridge"), to provide public pedestrian access to the waterfront.

3. In conjunction with the review of the above-referenced street vacation petitions, the City has requested that an easement for public pedestrian access be provided on and across the Lenora Bridge.

AGREEMENTS

In consideration of the promises and covenants contained herein, The Port and the City agree as follows:

1. **Easement.** The Port hereby conveys and quit claims to the City a perpetual non-exclusive easement solely for pedestrian ingress and egress on and across the Lenora Bridge, said grant to be effective on the date on which construction of the Lenora Bridge is fully completed and final inspection approval of the Lenora Bridge is granted by the City. Said pedestrian access shall be open to the public twenty-four hours per day, seven days a week, subject, however, to the Port's right to restrict access temporarily for required maintenance and repair or because of circumstances beyond the Port's reasonable control.

2. **Private Property.** Nothing contained herein shall be deemed a gift or a dedication to the general public or for any general public use other than public pedestrian access on the Lenora Bridge.

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3. Maintenance. The Port and its successors shall be responsible for any and all costs related to and maintenance and repair of the Lenora Bridge, including without limitation, all piles, footings, columns, abutments, walls, and wing walls associated with the Lenora Bridge, whether in the public right-of-way or in street areas vacated to the Port. The Port shall keep the Lenora Bridge surface and drainage system clean and free of debris and shall maintain the bridge surface in a good state of repair, making all repairs in a professional manner. Maintenance shall include, but shall not be limited to: maintaining and replacing the bridge surface in a level, smooth and evenly covered condition; keeping the Lenora Bridge in a clean and orderly condition; removing snow and ice; installing, repairing, and replacing any related improvements to the Lenora Bridge; and, paying for all costs and materials of maintenance.

4. Liability for Lenora Bridge. The Lenora Bridge shall remain the exclusive responsibility of the Port. The Port, by its execution of this easement, does release the City from any and all claims resulting from damage or loss to its own property and does covenant and agree for itself, its successors and assigns, with The City of Seattle to at all times protect and save harmless The City of Seattle from all claims, actions, suits, liability, loss, costs, expense or damages of every kind and description (excepting only such damages that may result from the sole negligence of the City), which may accrue to, or be suffered by, any person or persons and/or property or properties, including without limitation, damage or injury to the Port, its officers, agents, employees, contractors, invitees, tenants and tenants' invitees, licensees or their successors and assigns, by reason of the maintenance, operation or use of said Lenora Bridge, or any portion thereof, or by reason of anything that has been done, or may at any time be done, by the Port, its successors or assigns, by reason of this easement, or by reason of the Port, its successors or assigns, failing or refusing to strictly comply with each and every provision of this easement; and if any such suit, action or claim shall be filed, instituted or begun against the City, the Port, its successors or assigns, shall, upon notice thereof from the City, defend the same at its or their sole cost and expense, and in case judgment shall be rendered against the City in any suit or action, the Port, its successors or assigns, shall fully satisfy said judgment within ninety (90) days after such action or suit shall have been finally determined, if determined adversely to the City. Provided that if it is determined by a court of competent jurisdiction that RCW 4.24.115 applies to this easement, then in the event claims or damages are caused by or result from the concurrent negligence of: (a) the City, its agents, contractors, or employees; and, (b) the Port, its agents, contractors, employees or its successors or assigns,

this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Port or Port's agents, contractors, employees or its successors or assigns.

5. Termination Agreement. In the event that the vacation of Lenora Street is not approved by the City, or the Lenora Bridge is not reconstructed so as to be available for public use, this easement shall become null and void and the Port and the City shall execute and record a release and termination so indicating.

6. Entire Agreement. This Agreement contains the entire agreement between the Port and the City and supersedes any previous agreements or negotiations. The exhibit attached hereto is incorporated herein by this reference. Modification or waiver of any of the provisions of this easement shall be effective only if made in writing and executed with the same formality as this easement.

7. Covenants Running with the Land. The agreements, easement, covenants, and restrictions contained herein shall be deemed covenants running with the land and shall inure to the benefit of and shall be binding upon the parties hereto and their respective heirs, successors and assigns, including, but without limitation, all subsequent owners of and parties who obtain an interest in the Port Property. Conveyance of the Port Property shall be subject to this easement.

IN WITNESS WHEREOF the parties have executed this easement on the date above first written.

PORT OF SEATTLE

By

Its



M.R. Dinsmore
Executive Director

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 4th day of August, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared M.R. Dinsmore, to me known to be Executive Director of THE PORT OF SEATTLE, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he/~~she~~ was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.

Thomas H. Tanaka
Name Thomas H. Tanaka
NOTARY PUBLIC in and for the
State of Washington, residing
at Bellevue
My commission expires 11/1/96.

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EXHIBIT A

PARCEL BETWEEN BLANCHARD AND LENORA STREETS

Lots 1 through 6, inclusive, Block 172A, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with Lots 2, 3, 6, 7, 10, and 11, Block 31, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington (not including any portion of vacated Elliott Avenue adjoining Block 31).

PARCEL BETWEEN LENORA AND VIRGINIA STREETS

Lots 1 through 6, inclusive, Block 172B, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with Lots 2, 3, 6, 7, 10, and 11, Block 30, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington (not including any portion of vacated Elliott Avenue adjoining Block 30).

COPY

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11.00

**BELL STREET SKYBRIDGE
PUBLIC PEDESTRIAN ACCESS EASEMENT**

THIS EASEMENT is conveyed this 4th day of August, 1994, by the Port of Seattle, a municipal corporation ("Port") to The City of Seattle, Washington ("City").

RECITALS

1. The Port is the owner of that certain real property which is situated in King County, Washington, adjacent to Bell Street, which is more particularly described in Exhibit A attached hereto (the "Port Property").

2. As part of the Port's Central Waterfront Project, the Port filed petitions under C.F. Nos. 296649 and 297673 to vacate several streets, including Bell Street west of Alaskan Way to the westerly margin of Elliott Avenue. The Port proposes to construct a two-level skybridge between the westerly margin of Elliott Avenue to the westerly margin of Alaskan Way under City-approved plans (the "Bell Street Skybridge"), to provide public pedestrian access to the waterfront. The Port also filed a skybridge petition for the portion of the Bell Street Skybridge over and across Alaskan Way, which received concept approval in Resolution 28747.

3. In conjunction with the review of the above-referenced street vacation and skybridge petitions, the City has requested that an easement for public pedestrian access be provided on and across the Bell Street Skybridge.

AGREEMENTS

In consideration of the promises and covenants contained herein, The Port and the City agree as follows:

1. Easement. The Port hereby conveys and quit claims to the City a perpetual non-exclusive easement solely for pedestrian ingress and egress on and across the Bell Street Skybridge, said grant to be effective on the date on which construction of the Bell Street Skybridge is fully completed and final inspection approval of the Bell Street Skybridge is granted by the City. Pedestrian access on the upper level of the bridge shall be open to the public twenty-four hours per day, seven days a week, subject, however, to the Port's right to restrict access temporarily for required maintenance and repair or because of circumstances beyond the Port's reasonable control. Pedestrian access on the lower level of the bridge shall be open to the public during the same hours as the main

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building at the Port's Pier 66 development (maritime museum, conference center, transit shed building) is open to the public, subject, however to the Port's right to restrict access temporarily for required maintenance and repair or because of circumstances beyond the Port's reasonable control.

2. Private Property. Nothing contained herein shall be deemed a gift or a dedication to the general public or for any general public use other than public pedestrian access on the Bell Street Skybridge.

3. Maintenance. The Port and its successors shall be responsible for any and all costs related to and maintenance and repair of the Bell Street Skybridge, including without limitation, all piles, footings, columns, abutments, walls, and wing walls associated with the Bell Street Skybridge, whether in the public right-of-way or in street areas vacated to the Port. The Port shall keep the Bell Street Skybridge surface and drainage system clean and free of debris and shall maintain the bridge surface in a good state of repair, making all repairs in a professional manner. Maintenance shall include, but shall not be limited to: maintaining and replacing the bridge surface in a level, smooth and evenly covered condition; keeping the Bell Street Skybridge in a clean and orderly condition; removing snow and ice; installing, repairing, and replacing any related improvements to the Bell Street Skybridge; and, paying for all costs and materials of maintenance.

4. Liability for Bell Street Skybridge. The Bell Street Skybridge shall remain the exclusive responsibility of the Port. The Port, by its execution of this easement, does release the City from any and all claims resulting from damage or loss to its own property and does covenant and agree for itself, its successors and assigns, with The City of Seattle to at all times protect and save harmless The City of Seattle from all claims, actions, suits, liability, loss, costs, expense or damages of every kind and description (excepting only such damages that may result from the sole negligence of the City), which may accrue to, or be suffered by, any person or persons and/or property or properties, including without limitation, damage or injury to the Port, its officers, agents, employees, contractors, invitees, tenants and tenants' invitees, licensees or their successors and assigns, by reason of the maintenance, operation or use of said Bell Street Skybridge, or any portion thereof, or by reason of anything that has been done, or may at any time be done, by the Port, its successors or assigns, by reason of this easement, or by reason of the Port, its successors or assigns, failing or refusing to strictly comply with each and every provision of this easement; and if any such suit, action or claim shall be filed, instituted or begun against the City, the

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Port, its successors or assigns, shall, upon notice thereof from the City, defend the same at its or their sole cost and expense, and in case judgment shall be rendered against the City in any suit or action, the Port, its successors or assigns, shall fully satisfy said judgment within ninety (90) days after such action or suit shall have been finally determined, if determined adversely to the City. Provided that if it is determined by a court of competent jurisdiction that RCW 4.24.115 applies to this easement, then in the event claims or damages are caused by or result from the concurrent negligence of: (a) the City, its agents, contractors, or employees; and, (b) the Port, its agents, contractors, employees or its successors or assigns, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Port or Port's agents, contractors, employees or its successors or assigns.

5. Termination Agreement. In the event that the vacation of Bell Street or the final skybridge ordinance is not approved by the City, or the Bell Street Skybridge is not reconstructed so as to be available for public use, this easement shall become null and void and the Port and the City shall execute and record a release and termination so indicating.

6. Entire Agreement. This Agreement contains the entire agreement between the Port and the City and supersedes any previous agreements or negotiations. The exhibit attached hereto is incorporated herein by this reference. Modification or waiver of any of the provisions of this easement shall be effective only if made in writing and executed with the same formality as this easement.

7. Covenants Running with the Land. The agreements, easement, covenants, and restrictions contained herein shall be deemed covenants running with the land and shall inure to the benefit of and shall be binding upon the parties hereto and their respective heirs, successors and assigns, including, but without limitation, all subsequent owners of and parties who obtain an interest in the Port Property. Conveyance of the Port Property shall be subject to this easement.

IN WITNESS WHEREOF the parties have executed this easement on the date above first written.

PORT OF SEATTLE

By

Its

M.R. Dinsmore

Executive Director

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 4th day of August, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared M.A. Dinsmore, to me known to be Executive Director of THE PORT OF SEATTLE, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.

Thomas H. Tanaka
Name Thomas H. Tanaka
NOTARY PUBLIC in and for the
State of Washington, residing
at Bellevue
My commission expires 11/1/96.

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EXHIBIT A

PARCEL BETWEEN BELL AND BLANCHARD STREETS

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Lots 1 through 6, inclusive, Block 171B, all in Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington; and Lots 2, 3, 6, 7, 10, and 11, Block 32, all in the Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington; and that portion of Elliott Avenue, as vacated by City of Seattle Ordinance Number 9123, lying northwesterly of the extension of the southeasterly margin of Blanchard Street and southeasterly of a line lying 120 feet northwesterly of and parallel with the extension of the northwesterly margin of Blanchard Street; and that portion of Block 33, Addition to the Town of Seattle as laid out by A.A. Denny (commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof, recorded in Volume 1 of Plats, Page 99, in King County, Washington, lying southwesterly of the southwesterly margin of Elliott Avenue, as condemned by the City of Seattle, under Ordinance Number 12502 and as conveyed by Deed recorded under Recording Number 673412; except any portion thereof condemned for the widening of Armory Way (now known as Alaskan Freeway) by the City of Seattle under Ordinance Number 77749; and those portions of Blanchard Street, Bell Street and Elliott Avenue, as delineated in said plats which attach thereto and attach to Block 34 of said plat of A.A. Denny's Sixth Addition to the City of Seattle by operation of law upon the vacation thereof; except those portions lying southwesterly of a line concentric and/or parallel with and 15.0 feet northeasterly from the centerline of Burlington Northern Railroad Company's (formerly Great Northern Railway Company) most northeasterly track, and lying northeasterly of a line concentric and/or parallel with and 15.0 feet southwesterly from the centerline of Burlington Northern Railroad Company's (formerly Great Northern Railway Company) most southwesterly track, which pass through said blocks, streets and avenues;

Together with an air rights easement of record granted to The Port of Seattle by the Burlington Northern Railroad Company over the Burlington Northern railroad tracks; and

Subject to a railroad easement of record granted to Burlington Northern Railroad Company by The Port of Seattle.

RESERVATION OF EASEMENT

The PORT OF SEATTLE, a Washington state municipal corporation (the "Port"), does hereby reserve and convey to KING COUNTY DEPARTMENT OF METROPOLITAN SERVICES, a political subdivision of the State of Washington ("Metro"), its successors and assigns, a non-exclusive utility easement over, across, upon and under the following-described public street (the "street"), which is being vacated under C.F. Nos. 296649 and 297673:

That portion of Virginia Street lying between Lot 1, Block 173A and Lot 6, Block 172B, Plat of Seattle Tide Lands, according to the official maps thereof on file in the Office of the Commissioner of Public Lands in Olympia, Washington.

Together with that portion of Virginia Street lying between Lot 2, Block 29 and Lot 11, Block 30, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

Said easement being for the purpose of installing, constructing, operating, maintaining, repairing, replacing and using an electrical power line and equipment structure along with all connections, manholes and appurtenances thereto, together with the right of ingress to and from said described property.

This easement is reserved subject to the following terms and conditions:

1. Metro shall, upon construction, maintenance or repair of the facilities described herein, remove all debris and restore the surface of the street as nearly as possible to the condition in which it exists at the date of this agreement.
2. All right, title and interest which may be used and enjoyed without interfering with the easement rights herein conveyed are reserved to the Port, its successors or assigns.
3. In the event the Port, its successors or assigns decides to construct improvements on the street, the Port, its successors or assigns agree to bear all costs of planning, design, coordination, permits, construction and review necessary to relocate all or any portion of the facilities. At such time as

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the Port, its successors or assigns relocate Metro's facilities from the street, Metro agrees to terminate this Easement.

4. The Port agrees to accomplish any development without interruption to the operation of the facilities.

5. The Port agrees to include Metro, its successors and assigns in the planning, design and review of any relocation and reconstruction, and to obtain Metro's approval of said planning and design before commencing any construction. Metro's review and approval shall be accomplished in a timely manner and approval shall not be unreasonably withheld.

DATED this 11th day of August, 1994.

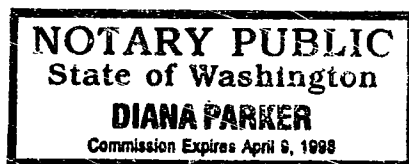
PORT OF SEATTLE

By M. R. Siu
Executive Director

STATE OF WASHINGTON)
COUNTY OF KING) ss.

On this 11th day of August, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared M. R. Siu, to me known to be the Executive Director of the PORT OF SEATTLE, a Washington state municipal corporation, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that [he/she] was authorized to execute the said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.



Diana Parker
Name DIANA PARKER
NOTARY PUBLIC in and for the
State of Washington, residing
at Seattle WA
My commission expires 4-9-98.

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Filed for record at request of;
After recording mail to:

THIS SPACE PROVIDED FOR
RECORDER'S USE:

CITY OF SEATTLE
ENGINEERING DEPARTMENT
710 Second Avenue, Room 660
Seattle, WA 98104

Attn: Bud McCormick, Drainage and Wastewater Utility

EASEMENT FOR SEWER LINE

FOR AND IN CONSIDERATION of valuable consideration, receipt of which is hereby acknowledged, the PORT OF SEATTLE, a municipal corporation ("Grantor"), hereby grants and conveys to the CITY OF SEATTLE, a municipal corporation ("Grantee"), a perpetual, nonexclusive easement ("Easement") for 24-hour access over, through and across the properties ("Easement Areas") described in Exhibit A attached hereto and incorporated herein by this reference, and as shown on Exhibit B attached hereto and incorporated herein by this reference, to install, construct, operate, maintain, repair, reconstruct, inspect, use and remove a sewer line across, along, in and upon the Easement Areas.

Grantor reserves the right to occupy and use the Easement Areas for all purposes not inconsistent with, nor interfering with the rights granted herein, provided that unobstructed access shall be provided to any manholes related to the sewer line within the Easement Areas. Grantor or its successor shall not erect any permanent structures over the sewer line, without Grantee's prior approval. However, at such time as Grantor or its successor relocates the sewer line, at Grantor's expense and in a manner satisfactory and approved by Grantee, Grantee may terminate this easement as to the Easement Areas formerly encompassing the relocated sewer line and erect permanent structures within the Easement Areas.

Grantor reserves the right to pave and landscape the Easement Areas without Grantee's prior approval. Any repair, replacement or removal of such improvements shall be the sole responsibility of Grantor, and Grantee reserves the right to direct Grantor to remove such improvements when necessary to gain access to the sewer line.

This easement is effective immediately and shall encumber the interest of the Grantor in the Easement Areas now held by Grantor or hereafter acquired upon approval of a petition for

EXCISE TAX NOT REQUIRED
King Co. Records Division
By [Signature] Deputy

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the vacation of the street encompassing the Easement Areas. This Easement shall also be deemed a covenant running with the land and shall inure to the benefit of and shall be binding upon the respective grantees, heirs, successors and assigns of the parties.

EXECUTED this 11th day of August, 1994.

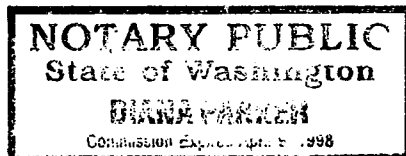
PORT OF SEATTLE

By M.R. Dinsmore
Its M.R. Dinsmore
Executive Director

STATE OF WASHINGTON)
COUNTY OF King) ss.

On this 11th day of August, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared M.R. Dinsmore, to me known to be the Executive Director of PORT OF SEATTLE, a Washington municipal corporation, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that [he/she] was authorized to execute the said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.



Diana Parker
Name DIANA PARKER
NOTARY PUBLIC in and for the
State of Washington, residing
at Seattle WA
My commission expires 4-9-98.

EXHIBIT A

ALASKAN WAY

The eastern 31 feet, more or less, of Alaskan Way in the City of Seattle, King County, Washington bounded on the north by the north margin of Bell Street and on the south by a line drawn perpendicularly to the east margin of said Alaskan Way distant 25.46 feet south from the south margin of Pine Street. Intersections of Bell Street, Blanchard Street, Lenora Street, Virginia Street, and Pine Street are inclusive.

VIRGINIA STREET

That portion of Virginia Street lying between Lot 1, Block 173A and Lot 6, Block 172B, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

Together with that portion of Virginia Street lying between Lot 2, Block 29 and Lot 11, Block 30, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

PINE STREET

That portion of Pine Street lying between Lot 1, Block 173B and Lot 6, Block 173A, Seattle Tide Lands, according to the official maps thereof filed in the Office of the Commissioner of Public Lands in Olympia, Washington;

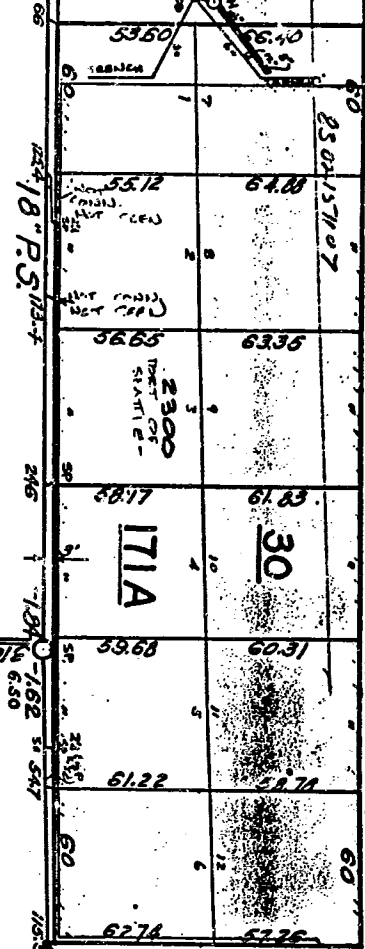
Together with that portion of Pine Street lying between Lot 1, Block 173B, Seattle Tide Lands, and Lot 11, Block 29, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington.

3183-7

Suppl. Plat of Bell & Denny Add.

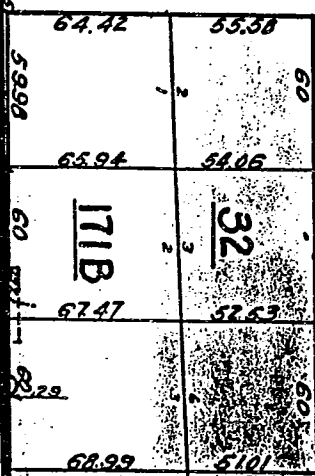
Battery St.

Vac. Ord 34697



Bell St.

A.A. Denny's Add.



SEWER LINE

EX. CON. PAY. 12' 54"

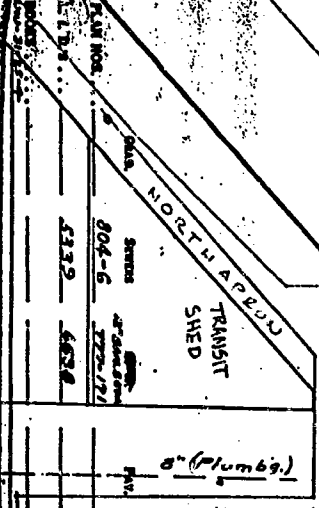
171

PIER 66

PORT OF SEATTLE

Seattle Tide Lands

CONCRETE BLDG



50 0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36 38 40 42 44 46 48 50 52 54 56 58 60

EXHIBIT B-1.

3185-6

3-12-73
9408120553

ALASKAN
RAILROAD

Elkhart Ave.

32

A.A. DENNY'S ADDITION

31

6	7	10	11	2	3	6	7	10	11
3	4	171B	5	6	1	2	172A	4	5
BLANCHARD ST.					SEATTLE TIDE LANDS				
2765					LENORA ST.				

SEWER LINE

Ex. Con. Pow

Ex. C.W.

PIER 66
PORT OF SEATTLE

SEATTLE TIDE LANDS

TRANSIT
SHED

PLAN NO. 604-6
5339

50 0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36 38 40 42 44 46 48 50 52 54 56 58 60

PHOTO DATE

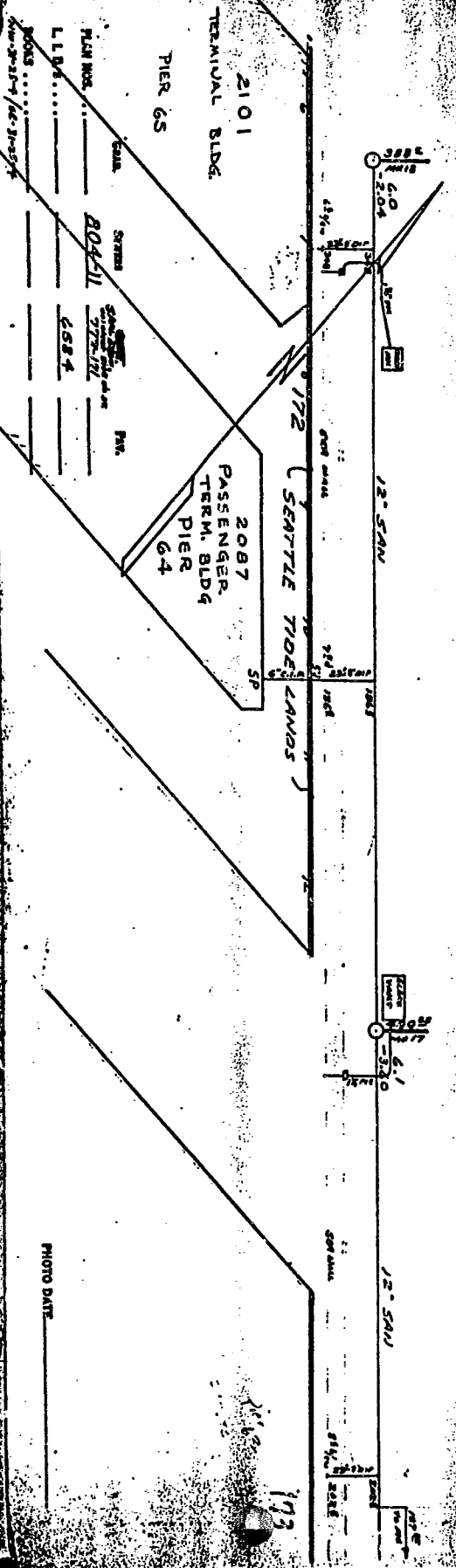
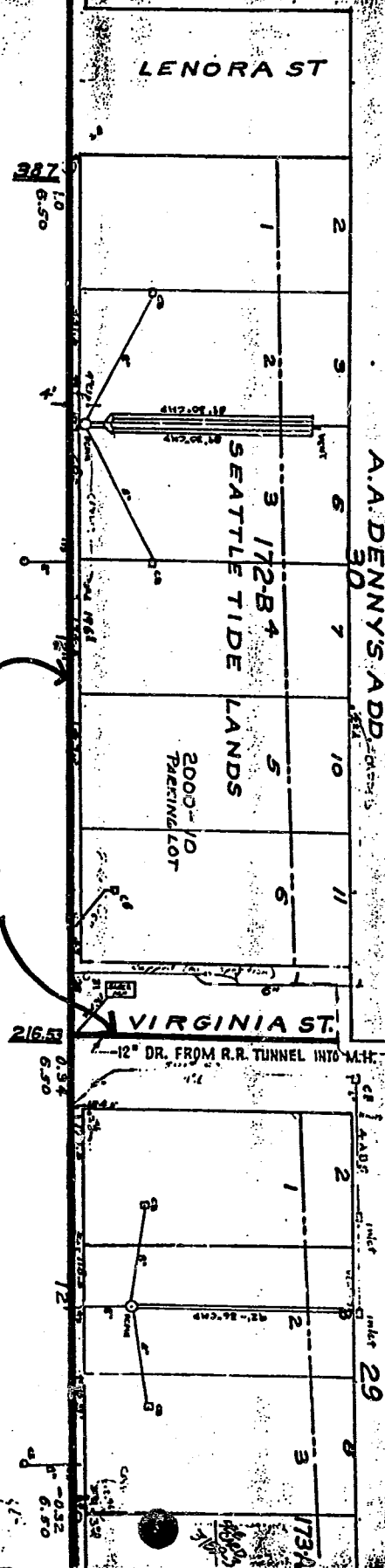
EXHIBIT B-2.

CHS NO. 3182-5

3-12-13

9408120353

ALASKAN WVA



50 0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36 38 40 42 44 46 48 50 52 54 56 58 60

EXHIBIT B-3.

3189-4

A. A. DENNY'S ADD.

9408120553

WESTERN

ALASKA

North (18.33) Blk. of 06.33
KING Co. Short Plat 79-105

NORTHBOUND HIGHWAY

36

vacated

VC. 107097

STEWART ST.
Vacated

1731
MDC 8905
5291

Sec. 1
LAND 7
5291

AVE.

This portion is
outside of
Easement Area,
as it continues to be
City right-of-way.

Sec. Alaska

Block B-106

No. 11200

VIRGINIA ST.

SEWER LINE

173A

PINE ST.

173B

SEATTLE TIDE LANDS

ALASKAN WAY

PLAN NO. 3189-4
DATE 11-15-53
BY 11-15-53
REVISION 11-15-53
PROJECT 11-15-53
SHEET 11-15-53
OF 11-15-53
TIDAL
11-15-53

50 0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36 38 40 42 44 46 48 50 52 54 56 58 60

EXHIBIT 94.



P. MAP NO. 188.68448.92
 JOB NO. V194-008
 LOCATION SW31-25-4
 COMPANY NO. _____

EASEMENT (Corporate)

The Grantor, PORT OF SEATTLE, a Washington municipal corporation,
 in consideration of ONE DOLLAR (\$1.00), in hand paid, and other good and valuable consideration, receipt whereof is hereby acknowledged, does hereby convey and warrant to WASHINGTON NATURAL GAS COMPANY, a Washington Corporation, its successors and assigns, herein referred to as "Grantee", a non-exclusive easement for a gas pipeline or pipelines under, over, through and across the following

described property of the Grantor located in the County of King,
 State of Washington:

Easement location:

BELL STREET:

That portion of Bell Street lying between Lot 1, Block 171B and Lot 6, Block 171A, Seattle Tide Lands, according to the official maps thereof on file in the Office of the Commissioner of Public Lands in Olympia, Washington:

Together with that portion of Bell Street lying between Lot 2, Block 32, Addition to the Town of Seattle as laid out by A.A. Denny (Commonly known as A.A. Denny's Sixth Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington, and Lot 12, Block 30, Bell & Denny's 1st Addition, according to the plat thereof recorded in Volume 1 of Plats, Page 61, in King County, Washington.

Grantor reserves the right to occupy and use the Easement area for all purposes not inconsistent with the rights granted herein. At such time as Grantor or its successor relocates any pipeline or pipelines, at Grantor's expense and in a manner satisfactory to and approved by Grantee, Grantee may terminate this easement as to the portion of the easement area formerly encompassing the relocated pipeline. This easement gives and grants to Grantee the right to construct, install, operate, maintain, protect, improve, repair, replace and abandon in place said gas pipeline or pipelines, together with the non-exclusive right of access to and from said property. As used herein, the term "pipeline" shall include gas lines and services together with such surface or sub-surface pipeline appurtenances and facilities as are necessary, in the judgement of Grantee, for the operation and maintenance of said pipeline or pipelines. By the acceptance of this easement Grantee agrees to hold the Grantor harmless from any loss, cost or damage resulting from the operation or maintenance of such pipeline or pipelines except as may be attributable to the sole negligence of Grantor. Grantor agrees not to erect any structures on said easement without prior written approval from the Grantee.

DATED this 11th day of August, 1994.



PORT OF SEATTLE
 a Washington municipal corporation,

By: M.R. Dinamore
 Title: Executive Director

EXCISE TAX NOT REQUIRED

King Co. Records Division
 By: [Signature] Deputy

STATE OF WASHINGTON)
 COUNTY OF King) SS.

On this 11th day of August, 1994, before me personally appeared M.R. Dinamore
 _____ to me known to be the Executive Director

_____ of the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that _____ he _____ w 25 authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

My commission expires 4, 9, 1994

Diana Parker
 Notary Public in and for the State of Washington,
 residing at Seattle

9408120556

940812-0556 11:04:00 AM KING COUNTY RECORDS 001 817

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Act#

EASEMENT

Reference

The Undersigned Grantor(s) for and in consideration of Mutual BenefitsDollars (\$ 0.0)

and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to U S WEST Communications, Inc., a Colorado Corporation, (Grantee) whose address is 1600 7th Ave., Seattle, Washington 98191 its successors, assigns, lessees, licensees and agents a perpetual easement to construct, reconstruct, operate, maintain and remove such telecommunications facilities as Grantee may require upon, over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to wit:

Seattle Tidelands in SE 1/4 31 -25-4 and NW 1/4 31-25-4

That portion of Lenora Street lying between Lot 1, Block 172B and Lot 6, Block 172A, SEATTLE TIDE LANDS, according to the official map thereof filed in the Office of the Commissioner of Public Lands in Olympia, WA; TOGETHER WITH that portion of Lenora Street lying between Lot 2, Block 30 and Lot 1, Block 31, ADDITION TO THE TOWN OF SEATTLE, as laid out by A.A. DENNY, commonly known as A.A. DENNY'S SIXTH ADDITION TO CITY OF SEATTLE), according to the plat thereof recorded in Volume 1 of Plats, Page 99, in King County, Washington. and that portion of vacated Alaskan Way lying westerly of vacated Lenora Street.

Said easement being a ten foot strip of land, for current and future facilities, thru the vacated Lenora Street corridor and crossing to the southwesterly side of vacated Alaskan Way, all being a portion of the above described property.

EXCISE TAX NOT REQUIRED

King Co. Records Division

By [Signature] Deputy

King

WASHINGTON

situated in County of _____ State of _____
Grantee shall have the right of ingress and egress over and across the Land of the Grantor to and from the above-described

property and the right to clear and keep cleared all trees and other obstructions. Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

The Grantor reserves the right to occupy, use and cultivate said Easement for all purposes not inconsistent with, nor interfering with the rights herein granted.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

Any claim, controversy or dispute arising out of this Agreement shall be settled by arbitration in accordance with the applicable rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in the county where the property is located.

In witness whereof the undersigned has executed this instrument this 11th day of August, 1994.

Witness:

By: [Signature]

9408120555

(Individual Acknowledgement)
State of _____ } ss
County of _____ }
On this day personally appeared before me _____

known to me to be the individual _____ who executed the foregoing instrument, and acknowledged that signed the same as _____ free and voluntary act and deed, for the uses and purposes herein mentioned.

Given under my hand and official seal this _____ day of _____, 19____.

Notary Public in and for the State of _____
residing at _____

My commission expires: _____

(Corporate Acknowledgement)
State of Washington } ss
County of King }
On this day personally appeared before me _____

who did say he/she is the Executive Director

of the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and an oath stated that _____ was/were authorized to execute said instrument on behalf of the corporation. Given under my hand and official seal this 11th day of August, 1994.

NOTARY PUBLIC
State of Washington
[Signature]
Notary Public in and for the State of Washington
residing at Seattle, WA

My commission expires: 4-9-98

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

940812-0555 11-06-00 AM KING COUNTY RECORDS OCT 1994 2:06

SECTION 8

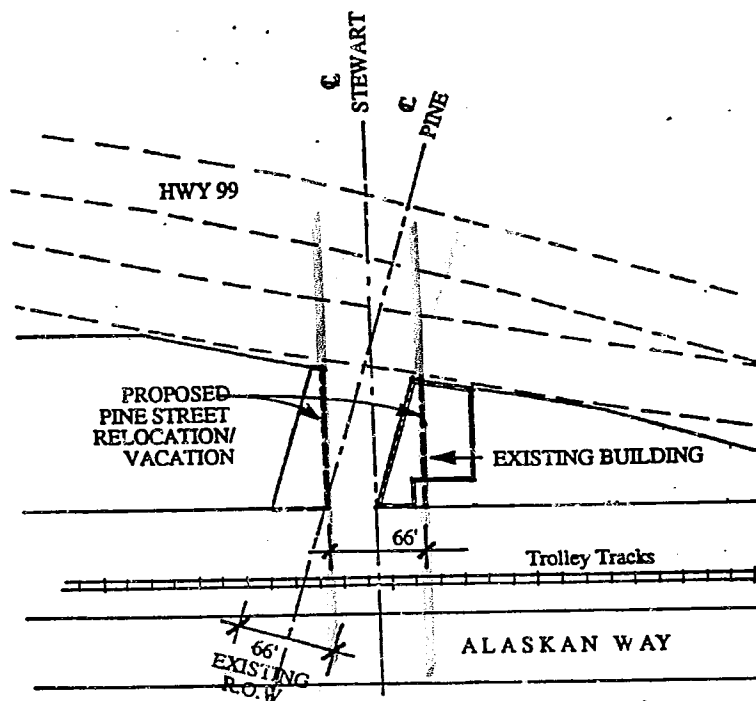
PINE STREET

PROPOSAL:

Vacate the existing Pine Street roadway and relocate it to the south as shown in the diagram below. The proponent is also considering an alternate proposal to build a footbridge connecting the Pike Market to the waterfront at the Desimone Bridge as part of the ongoing Pine Street planning study.

PINE STREET RECOMMENDATIONS

Figure W-
Pine Street
Relocation



The committee acknowledges the Pine Street planning study that the Port and the City are engaged in. As that proposal evolves, new guidelines for the Pine Street corridor may be necessary.

The following recommendations are intended to apply in the event the Port returns to a development option similar to Alternative E of the Central Waterfront FEIS. (Attachment #3).

RECOMMENDATIONS for the Central Waterfront

1 That portion of vacated Bell Street described as
2 follows:

3 Beginning at the intersection of the northerly line
4 of Bell Street and the westerly line of Elliott
5 Avenue (which is the southeasterly corner of Lot
6 12, Block 30, Bell and Denny's 1st Addition,
7 according to the plat thereof recorded in Volume 1
8 of Plats, page 61, records of King County,
9 Washington;

10 Thence southerly along the westerly line of Elliott
11 Avenue extended, 7.0 feet;

12 Thence westerly and parallel with the northerly
13 line of Bell Street (southerly line of said Lot
14 12), 10.0 feet;

15 Thence northerly and parallel to the westerly line
16 of Elliott Avenue to the northerly line of Bell
17 Street (southerly line of Lot 12), 7 feet;

18 Thence easterly along the northerly line of Bell
19 Street (southerly line of Lot 12) to the Point of
20 Beginning.

21 be and the same is hereby accepted for purposes stated therein.

22 Section 7. That the Property Use and Development Agreement
23 executed by the Port of Seattle on the 5th day of August, 1994
24 (King County Recording No. 9408050461), by which the Port
25 agrees to certain design guidelines upon the above-described
26 property is hereby accepted. The City Clerk is authorized and
27 directed to deliver copies of said agreement to the Directors
28 of the Department of Construction and Land Use and of
Engineering.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Martha Choe

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

STATE OF WASHINGTON - KING COUNTY

47352
City of Seattle, City Clerk

—SS.

No. ORDINANCE IN

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

ORD:117279

was published on

09/07/94

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

W. J. Beck

Subscribed and sworn to before me on

09/07/94

W. J. Beck

Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THE ORIGINAL, IT IS DUE TO THE QUALITY OF THE DOCUMENT.

the Clerk of this Court, within four months after the date of first publication of this notice or within four (4) months after the date of the filing of the copy of this Notice with the Clerk of the Court, whichever is later, or the claim will be barred, except under those provisions included in RCW 11.40.011.

Date of filing of Notice to Creditors with Clerk of Court: August 22, 1994.

Date of first publication: August 24, 1994.

BYRON JAY SHERMAN, Personal Representative, 4337 - 182nd Place S.E., Issaquah, WA 98027.

LAURA D. CONNOR, WSBA #10618; KLAUWITTER & CONNOR, P. S., Attorneys for the Estate of Karen Taylor Sherman, 119 First Ave. S., Suite 300, Seattle, Washington 98104. (206) 622-6703.

NOTICE TO CREDITORS

PHILLIP P. STUCKY
SUPERIOR COURT OF Washington for King County.
Estate of Phillip P. Stucky, Deceased. Probate No. 93-4-0522-3. Notice to Creditors. RCW 11.40.010.

The undersigned has been appointed and has qualified as personal representative (PR) of the estate of the above named deceased. Each person having a claim against the deceased must serve the claim on the undersigned PR or on the attorney of record at the address stated below and must file an executed copy of the claim with the clerk of the court within four months after the date of first publication of this notice with the Clerk of the Court, whichever is later, or the claim will be barred, except under those provisions included in RCW 11.40.011 or RCW 11.40.013.

Date of filing copy of notice to Creditors, August 31, 1994.

Date of first publication, August 31, 1994.

PR: RICHARD P. STUCKY, Address: c/o ALAN L. MONTOMERY, MONTGOMERY, URBAN, BLANKINSHIP & USTIN, 5800 Columbia Center, 701 Fifth Avenue, Seattle, WA 98104. 9/14(469147)

NOTICE TO CREDITORS

RONALD H. STEINBERG
IN THE SUPERIOR COURT of the State of Washington for King County.

In the Matter of the Estate of Ronald H. Steinberg, Deceased. No. 94-4-03648-1. Notice to Creditors.

The Personal Representative (PR) named below has been appointed and has qualified as PR of this estate. Each person having a claim against the Decedent must, prior to the time such claim would be barred by any otherwise applicable statute of limitations, serve the claim on the PR or on the attorney of record at the address stated below and must file a signed copy of the claim with the Clerk of the Court within four months after the date of first publication of this Notice or within four months after the date of the filing of the copy of this Notice with the Clerk of the Court, whichever is later, or the claim will be barred, except under those provisions included in RCW 11.40.011 or RCW 11.40.013.

Date of filing copy of Notice to Creditors, August 23, 1994.

Date of first publication of Notice to Creditors, August 24, 1994.

PR: GLENN E. M. BRISTOW, WENDY S. GOFFE, WSBA No. 21815, Attorney for the Estate, BOGLE & GATES, Two Union Square, 601 Union Street, Seattle, Washington 98101-2346. (206) 682-5151. 9/7(46907)

NOTICE TO CREDITORS

VIRGINIA H. ALABASTER
SUPERIOR COURT OF Washington, County of King.
Estate of Virginia H. Alabaster, Deceased. Probate No. 94-4-3665-1. Notice to Creditors. RCW 11.40.010.

The personal representative (PR) named below has been appointed and has qualified as PR of this estate. Persons having claims against the decedent must, prior to the time such claims would be barred by any otherwise applicable statute of limitations, serve their claims on the PR or the attorney of record at the address stated below and file an executed copy of the claim with the Clerk of this court within four months after the date of first publication of this notice or within four months after the date of filing of the copy of this notice with the Clerk of the Court, whichever is later, or the claim will be barred, except under those provisions included in RCW 11.40.011 or RCW 11.40.013.

the Clerk of this Court, within four months after the date of first publication of this notice or within four months after the date of the filing of the copy of this Notice with the Clerk of the Court, whichever is later, or the claim will be barred, except under those provisions included in RCW 11.40.011, the claim will be forever barred.

Date of filing copy of Notice to Creditors with Clerk of Court, August 24, 1994.

Date of first publication, August 24, 1994.

SHERI JOYE, Personal Representative, STEAD, VOGEL & EIDE, Attorneys for the Estate, 1025 South 320th, Federal Way, WA 98003. (206) 839-3131. 9/7(46904)

NOTICE TO CREDITORS

WILLIS R. NASON
IN THE SUPERIOR COURT of the State of Washington for the County of King.

Estate of Willis R. Nason, Deceased. No. 94-4-03506-9. Notice to Creditors. (RCW 11.40.010 & .015.)

The Personal Representative named below has been appointed and has qualified as Personal Representative of this estate. Persons having claims against the deceased must, prior to the time such claims would be barred by any otherwise applicable statute of limitations, serve their claims on the Personal Representative or the attorney of record at the address stated below and file an executed copy of the claim with the Clerk of this Court within four months after the date of first publication of this notice or within four months after the date of the filing of the copy of this Notice with the Clerk of the Court, whichever is later, or, except under those provisions included in RCW 11.40.011 or 11.40.013, the claim will be forever barred.

Date of filing copy of Notice to Creditors, August 23, 1994.

Date of first publication, August 24, 1994.

PR: JOSEPH D. LEVEL, LEACH, BROWN & ANDERSON, JAMES G. LEACH, WSBA #1382, Attorney for the Estate, 4040 First Interstate Center, Seattle, Washington 98104. (206) 583-2714. 9/7(46924)

NOTICE TO CREDITORS

JANE W. TREMPER
SUPERIOR COURT OF Washington for King County.

Estate of Jane W. Tremper, Deceased. No. 94-4-03646-4. Notice to Creditors. (RCW 11.40.010.)

The undersigned has been appointed and has qualified as personal representative ("PR") of the estate of the above named deceased. Each person having a claim against the deceased must serve the claim on the undersigned PR in care of the attorney of record at the address stated below and must file an executed copy of the claim with the clerk of the court within four months after the date of first publication of this notice or within four months after the date of filing of a copy of this notice with the clerk of court, whichever is later, or the claim will be barred, except under those provisions included in RCW 11.40.011 or RCW 11.40.013.

Date of filing copy of notice to Creditors, August 23, 1994.

Date of first publication, August 24, 1994.

WILLIAM E. TREMPER, Personal Representative. Prepared By: PAUL W. ODEN, Attorney for Personal Representative; MILLER, NASH, WIENER, HAGER & CARLSEN, 4400 Two Union Square, 601 Union Street, Seattle, Washington 98101-2852. Telephone: (206) 622-8484. 9/7(46906)

the King County Superior Court, address: King County Courthouse, Ex Parte Department, Court Room W-285, 516 Third Avenue, Seattle, Washington 98104.

Your failure to appear at this hearing may result in a default order permanently terminating all of your rights to the above-named child.

You are further notified that any non-consenting parent or alleged father has a right to be represented by an attorney, and an attorney will be appointed for an indigent parent who requests an attorney.

You are further notified that your failure to file a claim of paternity within twenty-five days of the first publication of this notice or to respond to the petition within twenty-five days of the first publication of this notice is grounds to terminate your parent-child relationship with respect to the child.

One method of filing your response and serving a copy on the Petitioner is to send them your written response by certified mail with return receipt requested.

Witness the Honorable Maurice M. Epstein, Court Commissioner of said Superior Court and the seal of said Court hereunto affixed this 22nd day of August, 1994.

By JANCIE MICHELS, King County Superior Court Clerk.

(Seal) By BILL STREAM, Deputy Clerk.

File response with: Clerk of Court, King County Superior Court, 516 Third Ave., E-604, Seattle, WA 98104.

Serve a copy of your response on: Petitioners' Attorney: ALBERT G. LIRHUS, DUBUAR, LIRHUS & ENGBL, 1122 Dan Building, 2200 Sixth Avenue, Seattle, WA 98121. 9/7(46911)

SUMMONS

BY PUBLICATION

Superior Court No. 94-3-07015-4

SUPERIOR COURT OF Washington, County of King.

In Re the Marriage of Son-ya M. Williams, Petitioner, and Edward David Williams, Respondent. No. 94-3-07015-4.

Summons by Publication. (SMPB.)

To the Respondent: Edward David Williams:

1. The petitioner has started an action in the above court re-

questing that your marriage be dissolved.

2. The petition also requests that the Court grant the following relief:

Approve a parenting plan for the dependent children.

Dispose of property and liabilities.

Change name of wife to: Sonya M. Adams.

Award the tax exemptions for the dependent children as follows:

To the Mother every year.

3. You must respond to this summons by serving a copy of your written response on the person signing this summons and by filing the original with the clerk of the court. If you do not serve your written response within 60 days after the date of first publication of this summons (60 days after the 7th day of September, 1994), the court may enter an order of default against you, and at the end of 90 days after service and filing, the court may, without further notice to you, enter a decree and approve or provide for other relief requested in this summons.

In the case of a dissolution of marriage, the court will not enter the final decree until at least 90 days after service and filing. If you serve a notice of appearance on the undersigned person, you are entitled to notice before an order of default or a decree may be entered.

4. Your written response to the summons and petition must be on form WFF DR 01.0300, Response to Petition (Domestic Relations). Information about how to get this form may be obtained by contacting the clerk of the court or by contacting the Office of the Administrator for the Courts at (206) 705-5328.

5. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

6. One method of serving a copy of your response on the petitioner is to send it by certified mail with return receipt requested.

This summons is issued pursuant to RCW 4.28.100 and Superior Court Civil Rule 4.1 of the State of Washington.

Date of publication, September 7, 1994.

SONYA M. WILLIAMS, Petitioner.

THE ORIGINAL OF YOUR RESPONSE WITH THE

you, and the court may, further notice to you, enter a decree and approve or provide for other relief requested in this summons. In the case of a dissolution of marriage, the court will not enter the final decree until at least 90 days after service and filing. If you serve a notice of appearance on the undersigned person, you are entitled to notice before an order of default or a decree may be entered.

4. Your written response to the summons and petition must be on form WFF DR 01.0300, Response to Petition (Domestic Relations). Information about how to get this form may be obtained by contacting the clerk of the court, or by contacting the Office of the Administrator for the Courts at (206) 705-5328.

5. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

6. One method of serving a copy of your response on the petitioner is to send it by certified mail with return receipt requested.

This summons is issued pursuant to RCW 4.28.100 and Superior Court Civil Rule 4.1 of the State of Washington.

Dated: July 8, 1994.

MARTHA H. MILLON, Petitioner.

File original of your response with the Clerk of the Court at: Lincoln, P. O. Box 1, Davenport, WA 99122.

Serve a copy of your response on: MARTHA H. MILLON, Petitioner, 1435 200th, Seattle, WA 98133. 9/46126

SUMMONS BY PUBLICATION

Superior Court No. 94-3-06449-9

SUPERIOR COURT OF Washington, County of King.

In re the Marriage of: Yang Liu, Petitioner, and Hang Cui, Respondent. No. 94-3-06449-9. Summons by Publication. (SMPB.)

To the Respondent: Hang Cui:

1. The petitioner has started an action in the above court re-

questing that your marriage be dissolved.

2. The petition also requests that the Court grant the following relief: Dispose of property and liabilities.

3. You must respond to this summons by serving a copy of your written response on the person signing this summons and by filing the original with the clerk of the court. If you do not serve your written response within 60 days after the date of first publication of this summons (60 days after the 17th day of August, 1994), the court may enter an order of default against you, and at the end of 90 days after service and filing, the court may, without further notice to you, enter a decree and approve or provide for other relief requested in this summons.

In the case of a dissolution of marriage, the court will not enter the final decree until at least 90 days after service and filing. If you serve a notice of appearance on the undersigned person, you are entitled to notice before an order of default or a decree may be entered.

4. Your written response to the summons and petition must be on form WFF DR 01.0300, Response to Petition (Domestic Relations). Information about how to get this form may be obtained by contacting the clerk of the court, or by contacting the Office of the Administrator for the Courts at (206) 705-5328.

5. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

6. One method of serving a copy of your response on the petitioner is to send it by certified mail with return receipt requested.

This summons is issued pursuant to RCW 4.28.100 and Superior Court Civil Rule 4.1 of the State of Washington.

Dated: August 16, 1994.

YANG LIU, Pro Se, Petitioner.

File original of your response with the Clerk of the Court at: Clerk of the Court, King County Superior Court, E609, King Co. Courthouse, 516 Third Avenue, Seattle, WA 98104.

Serve a copy of your response on: Petitioner, YANG LIU, Pro Se. 9/21(46908)

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Family Law

Published below are summonses for dissolutions, adoptions, guardianship actions, name changes, not-responsible-for-debts, and others.

SUMMONS AND NOTICE

BY PUBLICATION

Superior Court No. 94-5-02693-4

SUPERIOR COURT OF Washington for King County.

In the matter of the Adoption of Infant Kelch, a person under the age of eighteen. No. 94-5-02693-4. Summons and Notice by Publication of Petitioner.

US Gov't Notices

U. S. Customs

The court within four months after the date of first publication of this notice or within four months after the date of filing of a copy of this notice with the clerk of the court, whichever is later, or the claim will be barred, except under those provisions included in RCW 11.40.11 or RCW 11.40.013.

Date of filing copy of notice to creditors, August 31, 1994.

Date of first publication, August 31, 1994.

PR: RICHARD P. STUCKY.

Address: c/o ALAN L. MONTGOMERY, 10000 1st Avenue, SE, Union Square, 601 Union Street, Seattle, Washington 98101-2346. (206) 682-5151.

9/7(46907)

NOTICE TO CREDITORS

Estate of

RONALD H. STEINBERG

IN THE SUPERIOR COURT OF

the State of Washington for

King County.

In the Matter of the Estate of

Donald H. Steinberg, Deceased.

No. 94-4-03648-1. Notice to

creditors.

The Personal Representative

(PR) named below has been ap-

pointed and has qualified as PR

of this estate. Each person hav-

ing a claim against the Deced-

ent must, prior to the time

such claim would be barred by

any otherwise applicable statute

of limitations, serve the claim

on the PR or on the attorney of

record at the address stated be-

low and must file a signed copy

of the claim with the Clerk of

the Court within four months

after the date of first publica-

tion of this Notice or within four

months after the date of the fil-

ing of the copy of this Notice

with the Clerk of the Court,

whichever is the later, or the

claim will be forever barred, ex-

cept under those provisions in-

cluded in RCW 11.40.011 or

RCW 11.40.013.

Date of filing copy of Notice to

Creditors, August 23, 1994.

Date of first publication, August

24, 1994.

PR: GLYN E. M. BRISTOW.

WENDY S. GOFFE, WSBA

No. 21816, Attorney for the Es-

tate, BOGLE & GATES, Two

Union Square, 601 Union

Street, Seattle, Washington

98101-2346. (206) 682-5151.

9/7(46907)

NOTICE TO CREDITORS

Estate of

VIRGINIA H. ALABASTER

SUPERIOR COURT OF

Washington, County of King.

Estate of Virginia H. Alaba-

ster, Deceased. Probate No. 94-4-

3665-1. Notice to Creditors.

RCW 11.40.010.)

The personal representative

(PR) named below has been ap-

pointed and has qualified as PR

of this estate. Persons having

claims against the decedent

must, prior to the time such

claims would be barred by any

otherwise applicable statute of

limitations, serve their claims

on the PR or the attorney of re-

cord at the address stated below

and file an executed copy of the

claim with the Clerk of this

court within four months after

the date of first publication of

this notice or within four

months after the date of filing of

a copy of this Notice with the

clerk of the Court, whichever is

later, or, except under those pro-

visions included in RCW 11.40.

public copy of this notice or within four months after the date of filing of the copy of this Notice with the Clerk of the Court, whichever is later, or, except under those provisions included in RCW 11.40.011 or 11.40.013, the claim will be forever barred.

Date of filing copy of Notice to Creditors, August 23, 1994.

Date of first publication, August 24, 1994.

PR: JOSEPH D. LEVEL.

LEACH, BROWN & ANDER-

SON, JAMES G. LEACH,

WSBA #1382, Attorney for the

Estate, 4940 First Interstate

Center, Seattle, Washington

98104. (206) 583-2714.

9/7(46924)

NOTICE TO CREDITORS

Estate of

JANE W. TREMPER

SUPERIOR COURT OF

Washington for King County.

Estate of Jane W. Tremper,

Deceased. No. 94-4-03646-4.

Notice to Creditors. (RCW

11.40.010.)

The undersigned has been ap-

pointed and has qualified as

personal representative ("PR")

of the estate of the above named

deceased. Each person having a

claim against the deceased must

serve the claim on the under-

signed PR in care of the at-

torney of record at the address

stated below and must file an

executed copy of the claim with

the clerk of the court within

four months after the date of

first publication of this notice or

within four months after the

date of filing of a copy of this

notice with the clerk of court,

whichever is the later, or the

claim will be barred, except un-

der those provisions included in

RCW 11.40.011 or RCW 11.40.

013.

Date of filing copy of notice to

creditors, August 23, 1994.

Date of first publication, Aug-

ust 24, 1994.

WILLIAM E. TREMPER,

Personal Representative.

Prepared By: PAUL W.

ODEN, Attorney for Personal

Representative; MILLER,

NASH, WIENER, HAGER &

CARLSEN, 4400 Two Union

Square, 601 Union Street,

Seattle, Washington 98101.

2352. Telephone: (206) 622-

8484.

9/7(46906)

NOTICE TO CREDITORS

Estate of

JANE W. TREMPER

SUPERIOR COURT OF

Washington for King County.

Estate of Jane W. Tremper,

Deceased. No. 94-4-03646-4.

Notice to Creditors. (RCW

11.40.010.)

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013.

Date of filing copy of notice to

creditors, August 23, 1994.

Date of first publication, Aug-

ust 24, 1994.

WILLIAM E. TREMPER,

Personal Representative.

Prepared By: PAUL W.

ODEN, Attorney for Personal

Representative; MILLER,

NASH, WIENER, HAGER &

CARLSEN, 4400 Two Union

Square, 601 Union Street,

Seattle, Washington 98101.

2352. Telephone: (206) 622-

8484.

9/7(46906)

NOTICE TO CREDITORS

Estate of

JANE W. TREMPER

SUPERIOR COURT OF

Washington for King County.

Estate of Jane W. Tremper,

Deceased. No. 94-4-03646-4.

Notice to Creditors. (RCW

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9/7(46906)

NOTICE TO CREDITORS

Estate of

JANE W. TREMPER

SUPERIOR COURT OF

Washington for King County.

Estate of Jane W. Tremper,

Deceased. No. 94-4-03646-4.

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9/7(46906)

NOTICE TO CREDITORS

Estate of

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SUPERIOR COURT OF

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